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सं. 41] नई दिल्ली, अक्टूबर 4—अक्टूबर 10, 2009, शनिवार/आश्विन 12—आश्विन 18, 1931  
No. 41] NEW DELHI, OCTOBER 4—OCTOBER 10, 2009, SATURDAY/ASVINA 12—ASVINA 18, 1931

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पुश्तक संकलन के रूप में रखा जा सके  
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications Issued by the Ministries of the Government of India  
(Other than the Ministry of Defence)

गृह मंत्रालय

नई दिल्ली, 29 सितम्बर, 2009

का. आ. 2729.—सार्वजनिक परिसर (अनधिकृत अधिभोगी की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा सुश्री इदासिशा नागरेंड, उप निदेशक, सहायक आसूचना ब्यूरो, शिलांग, सरकार के राजपत्रित अधिकारी को उक्त नियम के उद्देश्य के लिए दिनांक 1-8-2009 से सम्पदा अधिकारी नियुक्त करता हूँ और निर्देश देता हूँ कि उक्त अधिकारी प्रदत्त शक्तियों का प्रयोग करेंगे और उक्त अधिनियम के द्वारा अथवा उसके अन्तर्गत सहायक आसूचना ब्यूरो शिलांग के नियंत्रण में आने वाले समस्त सरकारी रिहायशों के संबंध में सम्पदा अधिकारी को अधिरोपित कर्तव्य का निर्वहन करेंगे।

[सं. 1/सी-11/83(शिलांग)-1/पीएफ-11-1981]

एच. के. सुआनथंग, अवर सचिव

MINISTRY OF HOME AFFAIRS

New Delhi, the 29th September, 2009

S. O. 2729.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of un-

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authorized occupants) Act, 1971 (40 of 1971), the Central Government hereby appoint Shri Indashisha Nangrand, Deputy Director, Subsidiary Intelligence Bureau, Shillong, a Gazetted Officer of the Government of India to be the Estate Officer w.e.f. 01-08-2009 for the purpose of the said Act and directs that the said officer shall exercise the powers conferred and perform the duties, imposed on the Estate Officer by or under the said Act in respect of all Govt. land and building under the control of Subsidiary Intelligence Bureau, Shillong.

[No. 1/C-11/83(SIIG)-1/P.F.-11-1981]

H. K. SUANTHANG, Under Secy.

वित्त मंत्रालय

(वित्तीय सेवाएं विभाग)

नई दिल्ली, 30 सितम्बर, 2009

का. आ. 2730.—भारतीय जीवन बीमा निगम श्रेणी 3 और श्रेणी 4 कर्मचारी (सेवा के निर्बंधन और शर्तों का संशोधन) नियमावली, 1985 के नियम 13 के उपनियम (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा यह निर्धारित करती है कि श्रेणी III और श्रेणी IV के प्रत्येक कर्मचारी को 1 अप्रैल 2008 को आरंभ होने वाली और 31 मार्च, 2009 को समाप्त होने वाली अवधि के लिए

(5991)

बोनस के बदले में भुगतान, उक्त नियम में अन्य उपबंधों के अधीन, उनके वेतन के 15 प्रतिशत की दर पर किया जाएगा।

[फा. सं. 2(15)96/बीमा-III]

जे. एस. एस. शास्त्री, अवर सचिव

### MINISTRY OF FINANCE

(Department of Financial Services)

New Delhi, the 30th September, 2009

S. O. 2730.—In exercise of the powers conferred by sub-rule (2) of rule 13 of the Life Insurance Corporation of India Class III and Class IV Employees (Revision of Terms and Conditions of Service) Rules, 1985, the Central Government hereby determine that, subject to the other provisions of the said sub-rule, the payment in lieu of bonus for the period commencing on 1st day of April, 2008 and ending with 31st March, 2009 to every Class III and Class IV employee shall be at the rate of 15 per cent of his/her salary.

[F. No.2(15)96/Ins. III]

J. S. S. SASTRY, Under Secy.

नई दिल्ली, 5 अक्टूबर, 2009

का. आ. 2731.—बीमा विनियामक और विकास प्राधिकरण अधिनियम, 1999 (1999 का 41) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा, सुश्री लोरेटा मैरी वास, अपर सचिव, आर्थिक कार्य विभाग, वित्त मंत्रालय को श्री राहुल खुल्लर, वाणिज्य सचिव के स्थान पर बीमा विनियामक और विकास प्राधिकरण (आईआरडीए) में तत्काल प्रभाव से तथा अगले आदेशों तक, अंशकालिक सदस्य के रूप में नियुक्त करती है।

[फा.सं. 11/6/2003-बीमा-III]

सुकृति लिखी, निदेशक (बीमा)

New Delhi, the 5th October, 2009

S. O. 2731.—In exercise of the powers conferred by Section 4 of the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999), the Central Government hereby appoints Ms. Loretta Mary Vas, Additional Secretary, Department of Economic Affairs, Ministry of Finance as Part-time Member of the Insurance Regulatory and Development Authority (IRDA) vice Shri Rahul Khullar, Commerce Secretary, with immediate effect and until further orders.

[F. No.11/6/2003-Ins. III]

SUKRITI LIKHI, Director (Ins.)

विदेश मंत्रालय

(सीपीवी प्रभाग)

नई दिल्ली, 25 सितम्बर, 2009

का. आ. 2732.—राजनयिक और कौंसलीय ऑफिसर (शपथ और फीस) के अधिनियम, 1948 की धारा 2 के खंड (क) के अनुसरण में, केंद्र सरकार एतद्वारा श्री पी. राजेन्द्रन, सहायक को 25-9-2009 से भारत के कौंसलावास, ह्यूस्टन सहायक कौंसुलर अधिकारी के कर्तव्यों का पालन करने के लिए प्राधिकृत करती है।

[सं. टी-4330/1/2006]

आर. के. पेरिन्डिया, अवर सचिव (कौंसुलर)

### MINISTRY OF EXTERNAL AFFAIRS

(C. P. V. Division)

New Delhi, the 25th September, 2009

S. O. 2732.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri P. Rajendran, Assistant in the Consulate General of India, Houston to perform the duties of Assistant Consular Officer with effect from 25th September, 2009.

[No.T-4330/01/2006]

R. K. PERINDIA, Under Secy. (Consular)

स्वास्थ्य और परिवार कल्याण मंत्रालय

नई दिल्ली, 7 सितम्बर, 2009

का. आ. 2733.—केन्द्र सरकार दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दन्त चिकित्सा परिषद् से परामर्श करने के उपरान्त उक्त अधिनियम की अनुसूची के भाग -1 में एतद्वारा निम्नलिखित संशोधन करती है, अर्थात् :-

2. डा. एन. टी. आर. स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश द्वारा प्रदत्त डॉटल डिग्रियों की मान्यता के संबंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में क्रम संख्या 50 के सामने स्तंभ 2 और 3 की मौजूदा प्रविष्टियों में निम्नलिखित प्रविष्टियां अन्तः स्थापित की जाएंगी :-

“V साइबर दंत विज्ञान संस्थान,  
गुंटूर दंत शल्य चिकित्सा  
निष्ठात

- |   |   |
|---|---|
| (i) ओरल एवं मेक्सिलोफेशियल सर्जरी (यदि यह 21-4-2009 को अथवा उसके बाद प्रदान की गई हो) | एमडीएस (ओरल एवं मेक्सिलोफेशियल सर्जरी), डा. एन टीआर स्वास्थ्य विज्ञान विश्व-विद्यालय, विजयवाड़ा, आंध्र प्रदेश |
| (ii) प्रोस्थोडॉटिक्स (यदि यह 21-4-2009 को अथवा उसके बाद प्रदान की गई हो)              | एमडीएस (प्रोस्थो.) डा. एनटीआर स्वास्थ्य विज्ञान विश्व-विद्यालय, विजयवाड़ा, आंध्र प्रदेश                       |
| (iii) आर्थोडॉटिक्स (यदि यह 21-4-2009 को अथवा उसके बाद प्रदान की गई हो)                | एमडीएस (आर्थो.) डा. एनटीआर स्वास्थ्य विज्ञान विश्व-विद्यालय, विजयवाड़ा, आंध्र प्रदेश                          |
| (iv) कन्जरवेटिव डेंटिस्ट्री (यदि यह 21-4-2009 को अथवा उसके बाद प्रदान की गई हो)       | एमडीएस (कन्ज.डेंटि.) डा. एनटीआर स्वास्थ्य विज्ञान विश्व-विद्यालय, विजयवाड़ा, आंध्र प्रदेश                     |
| (v) मुख आयुर्विज्ञान (यदि यह 21-4-2009 को अथवा उसके बाद प्रदान की गई हो)              | एमडीएस (मुख आयुर्विज्ञान) डा. एनटीआर स्वास्थ्य विज्ञान विश्व-विद्यालय, विजयवाड़ा, आंध्र प्रदेश”।              |

[सं. वी. 12017/17/2006-डीई]

आर. शंकरन, अवर सचिव

**MINISTRY OF HEALTH AND FAMILY WELFARE**

New Delhi, the 7th September, 2009

S. O. 2733.—In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely :—

2. In the existing entries of column 2 & 3 against Serial No. 50, in part-1 of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Dr. NTR University of Health Sciences, Vijaywada, Andhra Pradesh, the following entries shall be inserted there under :—

**“V Sibar Institute of Dental Sciences, Guntur****(i) Master of Dental Surgery**

- |   |  |
|---|--|
| (i) Oral & Maxillofacial Surgery (if granted on or after 21-4-2009) | MDS (Oral & Maxillofacial Surgery), Dr. NTR University of Health Sciences, Vijaywada, Andhra Pradesh |
| (ii) Prosthodontics (if granted on or after 21-4-2009)              | MDS (Prosthodontics), Dr. NTR University of Health Sciences, Vijaywada, Andhra Pradesh               |
| (iii) Orthodontics (if granted on or after 21-4-2009)               | MDS (Orthodontics), Dr. NTR University of Health Sciences, Vijaywada, Andhra Pradesh                 |
| (iv) Conservative Dentistry (if granted on or after 21-4-2009)      | MDS (Conservative Dentistry), Dr. NTR University of Health Sciences, Vijaywada, Andhra Pradesh       |
| (v) Oral Medicine (if granted on or after 21-4-2009)                | MDS (Oral Medicine), Dr. NTR University of Health Sciences, Vijaywada, Andhra Pradesh                |

[No.V-12017/17/2006-DE]

R. SANKARAN, Under Secy.

नई दिल्ली, 7 सितम्बर, 2009

का. आ. 2734.—दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय दन्त चिकित्सा परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की अनुसूची के भाग -1 में एतद्वारा निम्नलिखित संशोधन करती है, अर्थात् :-

2. दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर द्वारा डेंटल डिग्रियों की मान्यता के संबंध में क्रम संख्या 72 के सामने स्तंभ 2 और 3 की मौजूदा प्रविष्टियों में निम्नलिखित प्रविष्टियां उसके अंतर्गत रखी जाएंगी :-

**“VI जयपुर डेंटल कालेज, जयपुर****(i) दंत शल्य चिकित्सा निष्णात**

- |  |   |
|--|---|
| (i) आर्थोडॉन्टिक्स (यदि 28-5-2009 को अथवा उसके बाद प्रदान की गई हो )         | एमडीएस (आर्थोडॉन्टिक्स) राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर         |
| (ii) पेरियोडॉन्टिक्स (यदि 28-5-2009 को अथवा उसके बाद प्रदान की गई हो )       | एमडीएस (पेरियो.), राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर               |
| (iii) ओरल मेडिसिन (यदि 31-5-2009 को अथवा उसके बाद प्रदान की गई हो )          | एमडीएस (ओरल मेडिसिन), राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर           |
| (iv) कम्युनिटी डेंटिस्ट्री (यदि 30-5-2009 को अथवा उसके बाद प्रदान की गई हो ) | एमडीएस (कम्युनिटी डेंटिस्ट्री), राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर |
| (v) प्रोस्थोडॉन्टिक्स (यदि यह 29-5-2009 को अथवा उसके बाद प्रदान की गई हो )   | एमडीएस (प्रोस्थो.), राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर             |
| (vi) पेडोडॉन्टिक्स (यदि यह 31-5-2009 को अथवा उसके बाद प्रदान की गई हो )      | एमडीएस (पेडोडॉन्टिक्स), राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर         |
| (vii) ओरल सर्जरी (यदि यह 3-6-2009 को अथवा उसके बाद प्रदान की गई हो )         | एमडीएस (ओरल सर्जरी), राजस्थान स्वास्थ्य विज्ञान विश्वविद्यालय, जयपुर।”          |

[सं. वी.-12017/63/2005-डीई]

आर. शंकरन, अवर सचिव

New Delhi, the 7th September, 2009

S. O. 2734.—In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely :—

2. In the existing entries of column 2 & 3 against Serial No. 72, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Rajasthan University of Health Sciences, Jaipur, the following entries shall be inserted there under :-

**“VI Jaipur Dental College, Jaipur****(i) Master of Dental Surgery**

- |  |  |
|--|--|
| (i) Orthodontics (if granted on or after 28-5-2009)  | MDS (Orthodontics) Rajasthan University of Health Sciences, Jaipur |
| (ii) Periodontics (if granted on or after 28-5-2009) | MDS (Periodontics) Rajasthan University of Health Sciences, Jaipur |

- |   |   |
|---|---|
| (iii) Oral Medicine<br>(if granted on or<br>after 31-5-2009)      | MDS (Oral Medicine)<br>Rajasthan University<br>of Health Sciences, Jaipur       |
| (iv) Community Dentistry<br>(if granted on or<br>after 30-5-2009) | MDS (Community Dentistry)<br>Rajasthan University<br>of Health Sciences, Jaipur |
| (v) Prosthodontics<br>(if granted on or<br>after 29-5-2009)       | MDS (Prosthodontics)<br>Rajasthan University<br>of Health Sciences, Jaipur      |
| (vi) Pedodontics<br>(if granted on or<br>after 31-5-2009)         | MDS (Pedodontics)<br>Rajasthan University<br>of Health Sciences, Jaipur         |
| (vii) Oral Surgery<br>(if granted on or<br>after 3-6-2009)        | MDS (Oral Surgery)<br>Rajasthan University<br>of Health Sciences, Jaipur        |

[No. V-12017/63/2005-DE]

R. SANKARAN, Under Secy.

नई दिल्ली, 7 सितम्बर, 2009

का. आ. 2735.—केन्द्र सरकार दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दन्त चिकित्सा परिषद से परामर्श करने के उपरान्त उक्त अधिनियम की अनुसूची के भाग -1 में एतद्वारा निम्नलिखित संशोधन करती है, अर्थात् :-

2. राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलौर द्वारा प्रदत्त डेंटल डिग्रियों की मान्यता के संबंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में क्रम संख्या 49 के सामने स्तंभ 2 और 3 की मौजूदा प्रविष्टियों में येनेपोया डेंटल कालेज, मंगलौर के संबंध में निम्नलिखित प्रविष्टियां अन्तःस्थापित की जाएंगी :-

“V येनेपोया डेंटल कालेज, मंगलौर

(1) दंत शल्य चिकित्सा निष्णात

- |   |   |
|---|---|
| (ix) सामुदायिक दंत चिकित्सा<br>(यदि यह 21-5-2009<br>को अथवा उसके बाद प्रदान<br>की गई हो ) | एमडीएस (सामुदायिक दंत<br>चिकित्सा), राजीव गांधी<br>स्वास्थ्य विज्ञान विश्वविद्यालय<br>बंगलौर” |
|---|---|

[सं. वी.-12017/14/2006-डीई]

आर. शंकरन, अवर सचिव

New Delhi, the 7th September, 2009

S. O. 2735.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 & 3 against Serial No. 49, in Part-1 of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Rajiv Gandhi University of Health Sciences, (RGUHS),

Bangalore, the following entries in respect of Yenepoya Dental College Mangalore, shall be inserted there under:—

“V Yenepoya Dental College, Mangalore,

(i) Master of Dental Surgery

- |   |   |
|---|---|
| (ix) Community Dentistry<br>(if granted on or<br>after 21-5-2009) | MDS (Community Dentistry)<br>Rajiv Gandhi University<br>of Health Sciences,<br>Bangalore” |
|---|---|

[No. V-12017/14/2006-DE]

R. SANKARAN, Under Secy.

नई दिल्ली, 7 सितम्बर, 2009

का. आ. 2736.—केन्द्र सरकार दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दन्त चिकित्सा परिषद से परामर्श करने के उपरान्त उक्त अधिनियम की अनुसूची के भाग -1 में एतद्वारा निम्नलिखित संशोधन करती है, अर्थात् :-

2. डा. एन.टी.आर. स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश द्वारा डेंटल डिग्रियों की मान्यता के संबंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में क्रम संख्या 53 के सामने स्तंभ 2 और 3 की मौजूदा प्रविष्टियों में निम्नलिखित प्रविष्टियां अन्तःस्थापित की जाएंगी :-

“III नारायण डेंटल कालेज एवं अस्पताल, नेल्सोर

दंत शल्य चिकित्सा में निष्णात

- |  |  |
|--|--|
| (i) पेरिओडॉन्टिक्स<br>(यदि 21-4-2009<br>को अथवा उसके बाद प्रदान<br>की गई हो )      | एमडीएस (पेरिओ.)<br>डा. एनटीआर स्वास्थ्य<br>विज्ञान विश्वविद्यालय<br>विजयवाड़ा, आंध्र प्रदेश      |
| (ii) ऑर्थोडॉन्टिक्स<br>(यदि 21-4-2009<br>को अथवा उसके बाद प्रदान<br>की गई हो )     | एमडीएस (आर्थो.)<br>डा. एनटीआर स्वास्थ्य<br>विज्ञान विश्वविद्यालय<br>विजयवाड़ा, आंध्र प्रदेश      |
| (iii) प्रोस्थोडॉन्टिक्स<br>(यदि 21-4-2009<br>को अथवा उसके बाद प्रदान<br>की गई हो ) | एमडीएस (प्रोस्थो.)<br>डा. एनटीआर स्वास्थ्य<br>विज्ञान विश्वविद्यालय<br>विजयवाड़ा, आंध्र प्रदेश   |
| (iv) ओरल पैथोलॉजी<br>(यदि 21-4-2009<br>को अथवा उसके बाद प्रदान<br>की गई हो )       | एमडीएस (ओरल पैथो.)<br>डा. एनटीआर स्वास्थ्य<br>विज्ञान विश्वविद्यालय<br>विजयवाड़ा, आंध्र प्रदेश   |
| (v) ओरल मेडिसिन<br>(यदि 21-4-2009<br>को अथवा उसके बाद प्रदान<br>की गई हो )         | एमडीएस (ओरल मेडिसिन)<br>डा. एनटीआर स्वास्थ्य<br>विज्ञान विश्वविद्यालय<br>विजयवाड़ा, आंध्र प्रदेश |

[सं. वी.-12017/20/2006-डीई]

आर. शंकरन, अवर सचिव



New Delhi, the 7th September, 2009

S. O. 2736.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely :—

2. In the existing entries of column 2 & 3 against Serial No. 50, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Dr. NTR University of Health Sciences, Vijaywada, Andhra Pradesh, the following entries shall be inserted thereunder :—

“III Narayana Dental College, & Hospital, Nellore

(I) Master of Dental Surgery

- |  |  |
|--|--|
| (i) Periodontics<br>(if granted on or after 21-4-2009)     | MDS (Periodontics), Dr. NTR University of Health Sciences Vijaywada, Andhra Pradesh    |
| (ii) Orthodontics<br>(if granted on or after 21-4-2009)    | MDS (Orthodontics), Dr. NTR University of Health Sciences Vijaywada, Andhra Pradesh    |
| (iii) Prosthodontics<br>(if granted on or after 21-4-2009) | MDS (Prosthodontics), Dr. NTR University of Health Sciences Vijaywada, Andhra Pradesh  |
| (iv) Oral Pathology<br>(if granted on or after 21-4-2009)  | MDS (Oral Pathology), Dr. NTR University of Health Sciences Vijaywada, Andhra Pradesh  |
| (v) Oral Medicine<br>(if granted on or after 21-4-2009)    | MDS (Oral Medicine), Dr. NTR University of Health Sciences Vijaywada, Andhra Pradesh.” |

[No. V-12017/20/2006-DE]

R. SANKARAN, Under Secy.

नई दिल्ली, 8 सितम्बर, 2009

का. आ. 2737.—केन्द्र सरकार दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय दंत चिकित्सा परिषद से परामर्श करने के पश्चात् उक्त अधिनियम की अनुसूची के भाग -1 में एतद्वारा निम्नलिखित संशोधन करती है, अर्थात् :—

2. राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय (आरजीयूएस), बंगलुरु द्वारा प्रदत्त दंत चिकित्सा अर्हताओं को मान्यता देने के संबंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में क्रम संख्या 49 के सामने स्तंभ 2 और 3 की मौजूदा प्रविष्टियों में दयानंद सागर कालेज आफ डेंटल साइंसेज, बंगलुरु के संबंध में निम्नलिखित प्रविष्टियां उनके अंतर्गत अन्तःस्थापित की जाएंगी :—

“XXII दयानंद सागर कालेज आफ डेंटल साइंसेज, बंगलुरु मास्टर आफ डेंटल सर्जरी

- |                                |                                      |
|--------------------------------|--------------------------------------|
| (i) ओरल मेडिसिन एवं रेडियोलॉजी | एमडीएस (ओरल मेडिसिन एवं रेडियोलॉजी), |
|--------------------------------|--------------------------------------|

(यदि 5-6-2009 को अथवा उसके बाद प्रदान की गई हो )

- (ii) कंजरवेटिव डेंटिस्ट्री  
(यदि 5-6-2009 को अथवा उसके बाद प्रदान की गई हो )

- (iii) ओरल एवं मैक्सिलो-फेशियल सर्जरी  
(यदि 5-6-2009 को अथवा उसके बाद प्रदान की गई हो )

राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय बंगलुरु

एमडीएस (कंजरवेटिव डेंटिस्ट्री)  
राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलुरु

एमडीएस (ओरल एवं मैक्सिलोफेशियल सर्जरी),  
राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बंगलुरु

[सं. बी.-12017/34/2004-डीई]

आर. शंकरन, अवर सचिव

New Delhi, the 8th September, 2009

S. O. 2737.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely :—

2. In the existing entries of column 2 & 3 against Serial No. 49, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Rajiv Gandhi University of Health Sciences, (RGUHS), Bangalore, the following entries in respect of Dayananda Sagar College of Dental Sciences, Bangalore, shall be inserted thereunder :—

“XXII Dayananda Sagar College of Dental Sciences, Bangalore

Master of Dental Surgery

- |   |   |
|---|---|
| (i) Oral Medicine & Radiology<br>(if granted on or after 5-6-2009)        | MDS (Oral Medicine & Radiology),<br>Rajiv Gandhi University of Health Sciences, Bangalore       |
| (ii) Conservative Dentistry<br>(if granted on or after 5-6-2009)          | MDS (Conservative Dentistry),<br>Rajiv Gandhi University of Health Sciences, Bangalore          |
| (iii) Oral and Maxillofacial Surgery<br>(if granted on or after 5-6-2009) | MDS (Oral and Maxillofacial Surgery),<br>Rajiv Gandhi University of Health Sciences, Bangalore” |

[No. V-12017/34/2004-DE]

R. SANKARAN, Under Secy.

## उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

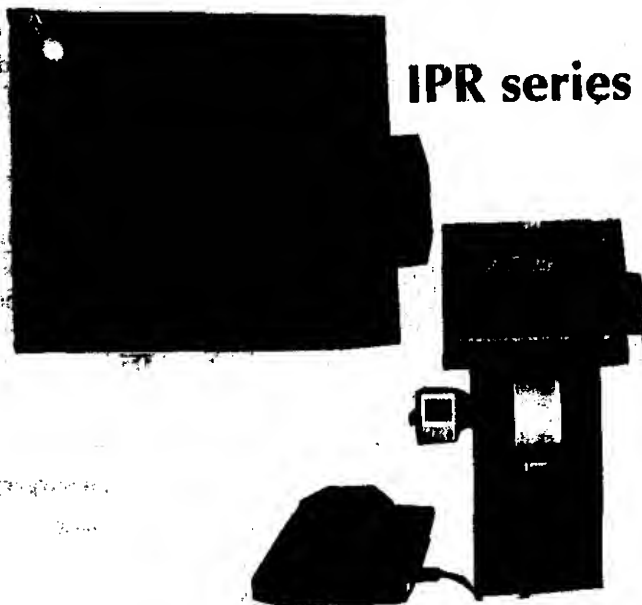
(उपभोक्ता मामले विभाग)

नई दिल्ली, 25 सितम्बर, 2009

का.आ. 2738.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एस्से टेरोका लि., कार्यालय-377/22, छठा क्रॉस, विलसन गार्डन, बंगलोर-560064 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "आईपीआर" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "ईएसएसई" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/309 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल विकृत मेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 15 कि.ग्रा. है और न्यूनतम क्षमता 40 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



इंडीकेटर के पिछली तरफ टॉप में आउटर कवर और पिछली प्लेट काट कर दो छेद किए गए हैं। स्ट्याम्प और सीलिंग के सत्यापन के इन दोनों छेदों में से लीडिड सीलिंग वायर निकाला गया है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता।

उपकरण में केलिब्रेशन के लिए बाहरी है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$ ,  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (174)/2009]

आर. माथुरबूधम, निर्देशक, विधिक माप विज्ञान

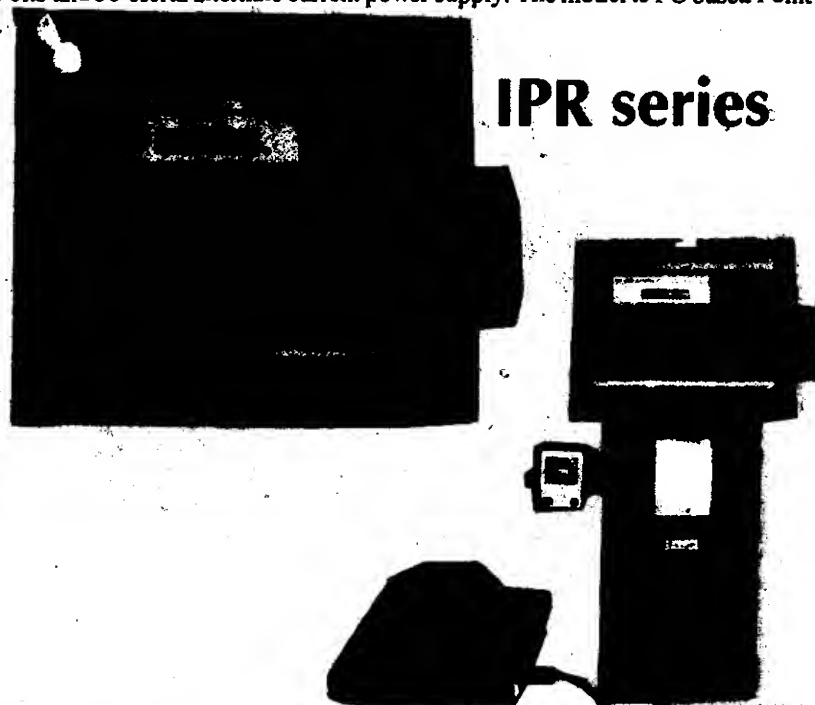
**MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION****(Department of Consumer Affairs)**

New Delhi, the 25th September, 2009

**S.O. 2738.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Type) with digital indication of "IPR" series of medium accuracy (Accuracy class-III) and with brand name "ESSAE" (hereinafter referred to as the said model), manufactured by M/s. Essae Teraoka Limited, Office:—377/22, 6th cross, Wilson Garden, Bangalore-560064 and which is assigned the approval mark IND/09/09/309;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 15 kg and minimum capacity of 40 g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The liquid crystal display (LCD) display indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternate current power supply. The model is PC based Point of Sale (POS) scanner cum weighing scale.



On the top rear side of the indicator two holes are made by cutting the outer cover and rear plate, a leaded sealing wire, passing through two holes are passed for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 1 mg. to 50mg. and in the range of 500 to 10,000 for 'e' value of 100mg or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (174)/2009]

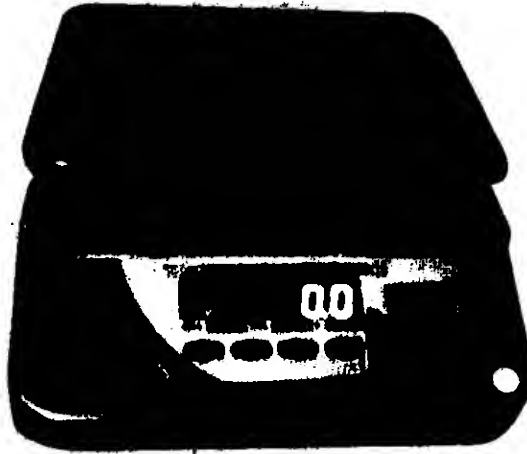
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 25 सितम्बर, 2009

का.आ. 2739.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एस. ए. इंजीनियरिंग वे, ओल्ड नं. एलआईजी 99, न्यू नं. 281, पुलिस क्वार्टर, गणपथी, कोयम्बतूर-641006, तमिलनाडु द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग 11) वाले "एस ए-910" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ए ए एस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/300 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका स्त प्रतिलत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्ट्याम्प और सीलिंग के सत्यापन के लिए इंडीकेटर के बायीं तरफ आउटर कवर और तल प्लेट में काट कर छेदों में से लीडिड सीलिंग वायर निकाल कर दो बोरेड स्कू से कसा गया है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता।

उपकरण में केलिब्रेशन के लिए बाहरी पहुँच है। बाहरी केलिब्रेशन तक पहुँच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$ ,  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (167)/2009]

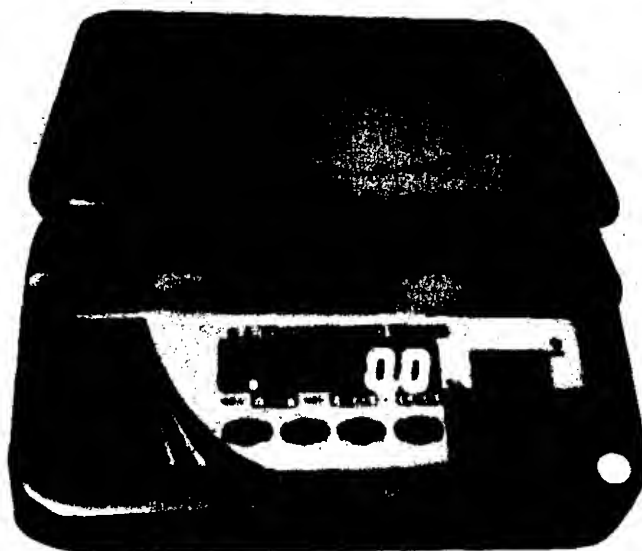
आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 25th September, 2009

**S.O. 2739.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Table Top Type) with digital indication of “SA-910” series of high accuracy (Accuracy class-II) and with brand name “AAS” (hereinafter referred to as the said model), manufactured by M/s. S.A. Engineering Weigh, Old No. LJG 99, New No. 281, Police Quarters, Ganapathy, Coimbatore-641006, Tamil Nadu and which is assigned the approval mark IND/09/09/300;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30 kg and minimum capacity of 100 g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode display (LED) indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternative current power supply.



On the left side of the indicator two bored screws are fastened by the leaded sealing wire, passing under the outer cover and the bottom plate, for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg to 50mg and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (167)/2009]

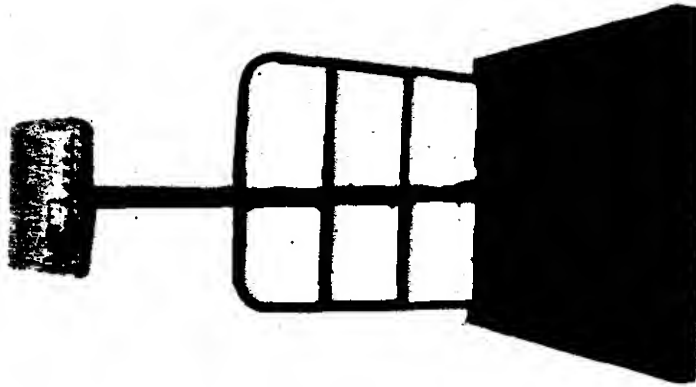
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 25 सितम्बर, 2009

क्र.आ. 2740.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एस. ए. इंजीनियरिंग प्रे. ओल्ड नं. एलआईजी 99, न्यू नं. 281, पुलिस क्वार्टर, गणपथी, कोयम्बतूर-641006, तमिलनाडु द्वारा विनिर्मित उक्त यथार्थता (यथार्थता वर्ग-II) वाले “एस ए-912” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “ए ए एस” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/301 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 600 कि.ग्रा. है और न्यूनतम क्षमता 2.5 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्प और सीलिंग के सत्यापन के लिए इंडीकेटर के बायीं तरफ आउटर कवर और तल प्लेट में काट कर छेदों में से लीडिड सीलिंग वायर निकाल कर दो बोरेड स्क्रू से कसा गया है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 कि.ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (167)/2009]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

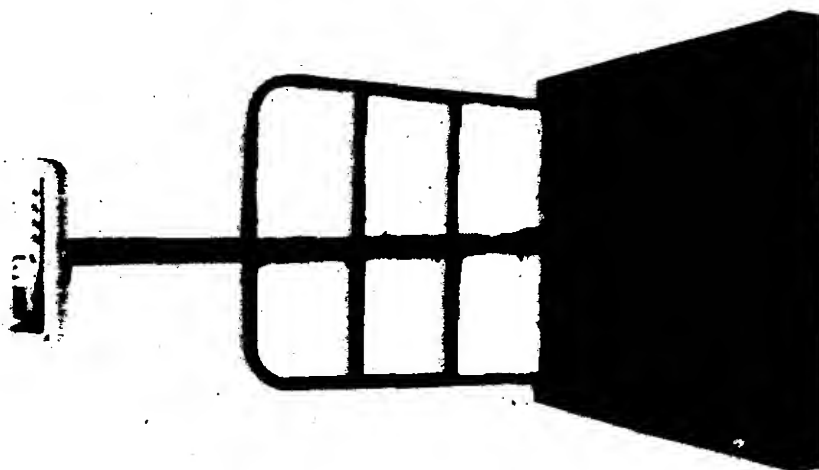


New Delhi, the 25th September, 2009

**S.O. 2740.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform Type) with digital indication of "SA-912" series of high accuracy (Accuracy class-II) and with brand name "AAS" (hereinafter referred to as the said model), manufactured by M/s. S.A. Engineering Weigh, Old No. LIG 99, New No. 281, Police quarters, Ganapathy, Coimbatore-641006, Tamil Nadu and which is assigned the approval mark IND/09/09/301;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 600 kg. and minimum capacity of 2.5 kg. The verification scale interval (e) 50g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternative current power supply.



On the left side of the indicator two bored screws are fastened by the leaded sealing wire, passing under the outer cover and the bottom plate, for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and upto 5000 kg. with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(167)/2009]

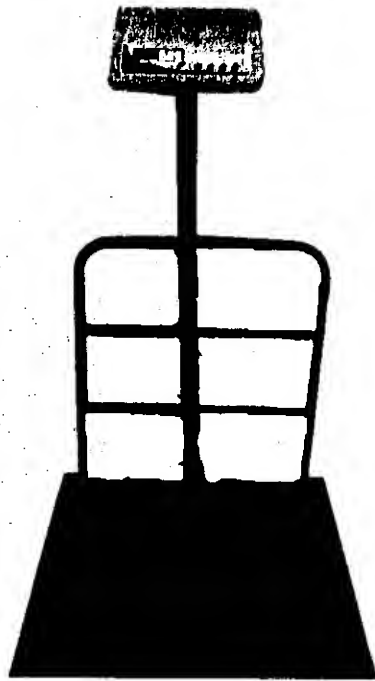
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 25 सितम्बर, 2009

का.आ. 2741.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एस. ए. इंजीनियरिंग वे, ओल्ड नं. एलआईजी 99, न्यू नं. 281, पुलिस क्वार्टर, गणपथी, कोयम्बतूर-641006, तमिलनाडु द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “एस ए-913” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “ए ए एस” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/302 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेट फार्म प्रकार) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्ट्याम्प और सीलिंग के सत्यापन के लिए इंडीकेटर के बायीं तरफ आउटर कवर और तल प्लेट में काट कर छेदों में से लीडिड सीलिंग वायर निकाल कर दो बोरेड स्क्रू से कसा गया है। उपकरण की सील से छेड़छाड़ किए बिना नहीं खोला जा सकता।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (167)/2009]

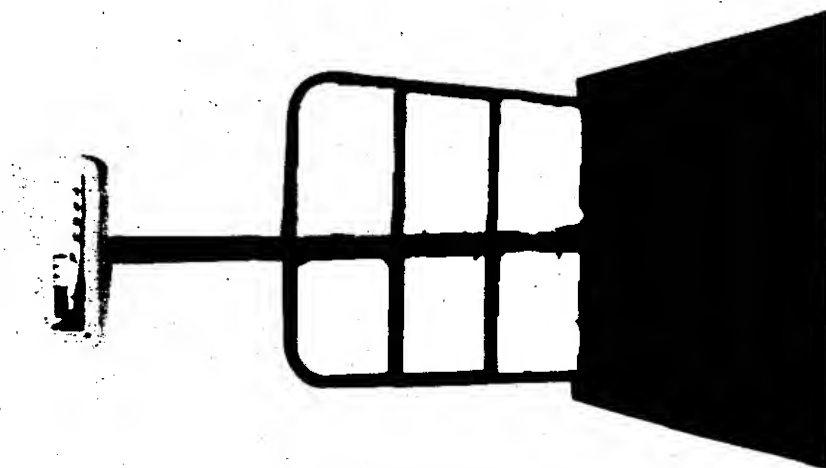
आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 25th September, 2009

**S.O. 2741.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Platform Type) with digital indication of "SA-913" series of medium accuracy (Accuracy class-III) and with brand name "AAS" (herein referred to as the said model), manufactured by M/s. S.A. Engineering Weigh, Old No. LIG 99, New No. 281, Police Quarters, Ganapathy, Coimbatore-641006, Tamil Nadu and which is assigned the approval mark IND/09/09/302;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 1000 kg. and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternative current power supply.



On the left side of the indicator two bored screws are fastened by the leaded sealing wire, passing under the outer cover and the bottom plate, for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and upto 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (167)/2009]

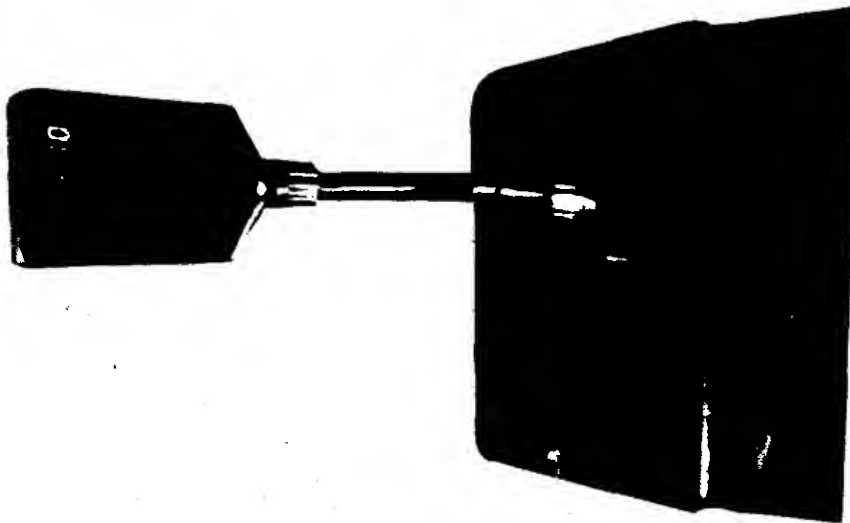
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 25 सितम्बर, 2009

का.आ. 2742.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एस. ए. इंजीनियरिंग वे, ओल्ड नं. एलआईजी 99, न्यू नं. 281, पुलिस क्वार्टर, गणपथी, कोयम्बतूर-641006, तमिलनाडु द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एस ए-911" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ए ए एस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/303 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्प और सीलिंग के सत्यापन के लिए इंडीकेटर के बायीं तरफ आउटर कवर और तल प्लेट में काट कर छेदों में से लीडिड सीलिंग वायर निकाल कर दो बोरेड स्क्रू से कसा गया है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) के सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-3}$ ,  $2 \times 10^{-3}$ ,  $5 \times 10^{-3}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (167)/2009]

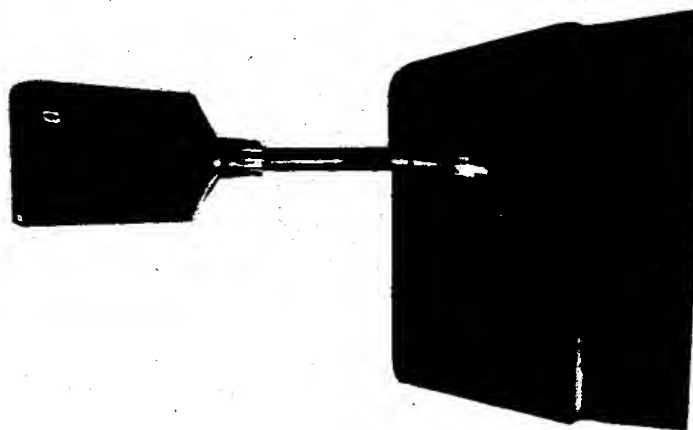
आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 25th September, 2009

**S.O. 2742.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Table top type) with digital indication of "SA-911" series of medium accuracy (Accuracy class-III) and with brand name "AAS" (herein referred to as the said Model), manufactured by M/s. S.A. Engineering Weigh, Old No. LIG 99, New No. 281, Police Quarters, Ganapathy, Coimbatore-641 006, Tamil Nadu and which is assigned the approval mark IND/09/09/303;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode display (LED) indicates the weighing result. The instrument operates on 230 Volts, 50-Hertz alternative current power supply.



Schematic arrangement of sealing arrangement

On the left side of the indicator two bored screws are fastened by the leaded sealing wire, passing under the outer cover and the bottom plate, for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21 (167)/2009]

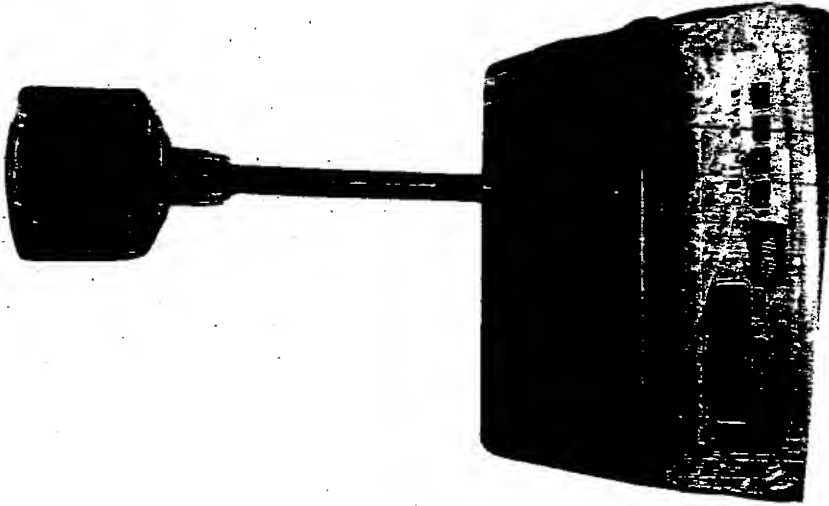
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 25 सितम्बर, 2009

का.आ. 2743.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स इन्शा डिजिटल वेइंग सिस्टम, 28, इंदिरा नगर, मट्टू थोट्टम, पोथन्नूर, कोयम्बतूर-641 023, तमिलनाडु द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "टीटी-इन्शा I" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "इन्शा" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/214 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



वेइंग स्केल के दायीं तरफ आउटर कवर और तल प्लेट काटकर दो छेद किए गए हैं और सत्यापन स्टाम्प और सील प्राप्त करने के लिए इन दो छेदों के जरिए लीड तार से बांधा जाता है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यफलन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$ ,  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (100)/2009]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान



New Delhi, the 25th September, 2009

**S.O. 2743.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of medium accuracy (Accuracy class-III) of series "TT-INSHA I" and with brand name "INSHA" (hereinafter referred to as the said Model), manufactured by M/s. Insha Digital Weighing System, 28, Indira Nagar, Mettu Thottam, Pothannur, Coimbatore-641 023, (T.N.) which is assigned the approval mark IND/09/09/214;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts 50-Hertz alternative current power supply.

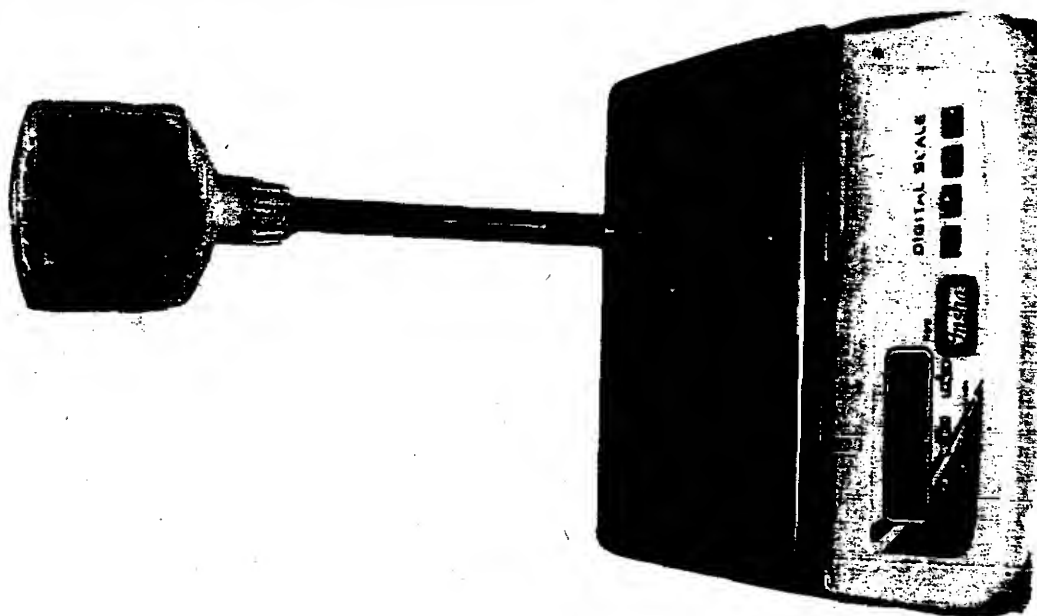


Figure-2 Schematic diagram of sealing provision of the Model

From the right side of the weighing scale two holes are made by cutting the outer cover and bottom plate and fastened by a leaded wire through these two holes for receiving the verification stamp and seal. The weighing scale can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the Model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21 (100)/2009]

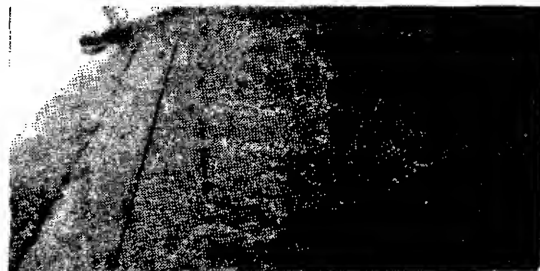
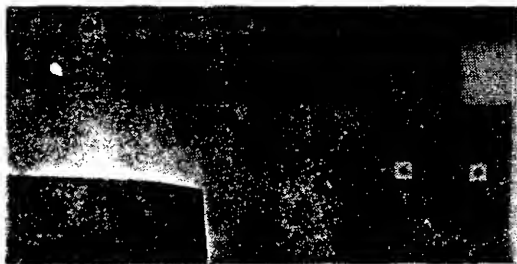
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

**का.आ. 2744.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एक्सपर्ट सेनसॉर्स एंड इंजीनियर्स इंक, 415, गुमानपुरा, पॉल टावर के पीछे, कोटा-324 007 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "ईएक्सडब्ल्यूबी-30टी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेबिज़ प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एक्सपर्ट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/38 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (वेबिज़ प्रकार) है। इसकी अधिकतम क्षमता 30 टन है और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



उपकरण के इंडीकेटर में दोनों तरफ छेद बनाकर, इन छेदों में से सील वायर निकाल कर लीड सील लगाई जाती है। उपकरण की बाड़ी पर दिए गए छेदों में से लीड और सील तार निकाल कर सीलिंग की जा सकती है। सील के साथ छेड़छाड़ किए बिना उपकरण को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी कलिब्रेशन तक पहुंच की सुविधा है। बाहरी कलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 200 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (02)/2009]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2009

**S.O. 2744.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge type) with digital indication of medium accuracy (Accuracy class-III) of series "EXWB-30T" and with brand name "EXPERT" (hereinafter referred to as the said model), manufactured by M/s. Expert Sensors & Engineers Inc., 415, Gumanpura, Behind Paul Tower, Kota-324 007 and which is assigned the approval mark IND/09/09/38;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge Type) with a maximum capacity of 30 tonne and minimum capacity of 100kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternative current power supply.

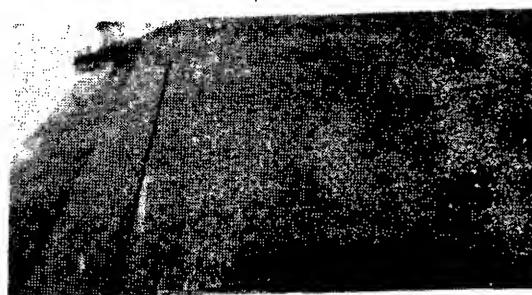
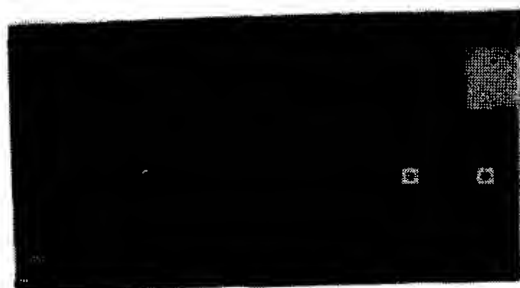


Figure-3 Sealing provision of the indicator of the model

Sealing is done at both sides by making holes in the indicator of the instrument, then a seal wire is passed through these holes and a lead seal is applied. Sealing can be done by applying lead & seal wire through the holes provided on the body of the instrument. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external access to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5tonne and up to 200tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (02)/2009]

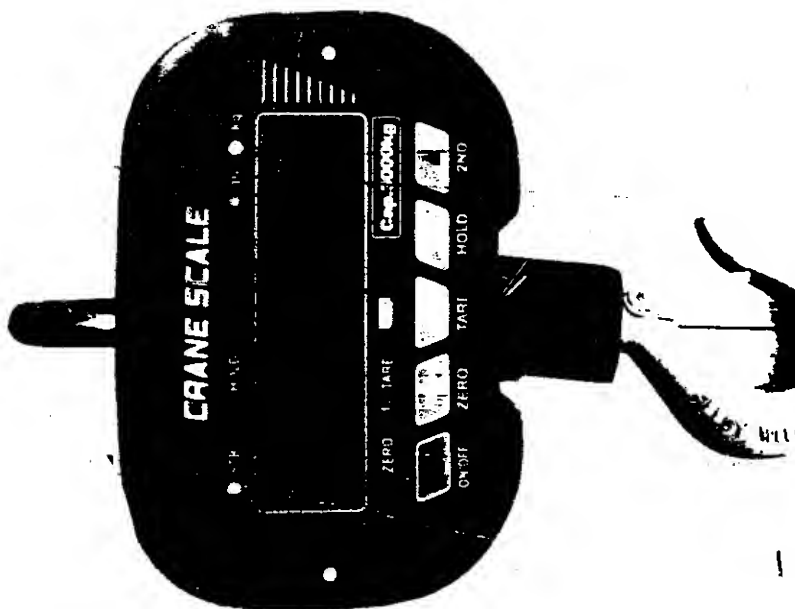
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

**का.आ. 2745.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स जय इंस्ट्रुमेंट एंड सिस्टम प्रा. लि., ई-16, एक्सेस्ट बिल्डिंग, तारदेव, मुंबई-400 034 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “सी एस” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (क्रेन टाइप) के मॉडल का, जिसके ब्रांड का नाम “जय पान” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/112 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (क्रेन टाइप) है। इसकी अधिकतम क्षमता 3000 कि.ग्रा. है और न्यूनतम क्षमता 20 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



इंडीकेटर की बॉडी पर तार के साथ स्टाम्पिंग प्लेट लगाई गई है जिस पर सीलिंग प्वाइंट लगाया गया है, स्केल की बॉडी में से वायर निकाला गया है जिस पर लीड सील है। कपटपूर्ण व्यवहार से तोलन उपकरण को खोले जाने से रोकने के लिए सीलिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनावद्ध डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 500 कि.ग्रा. से अधिक और 10,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (48)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2009

**S.O. 2745.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Crane Type) with digital indication of medium accuracy (Accuracy class-III) of series "CS" and with brand name "JAY-PAN" (hereinafter referred to as the said model), manufactured by M/s. Jay Instruments & systems Pvt. Ltd., E-16, Everest Building, Tardeo, Mumbai-4000 034 and which is assigned the approval mark IND/09/09/112;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Crane Type) with a maximum capacity of 3000 kg and minimum capacity of 20kg. The verification scale interval (e) is 1kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50-Hertz alternative current power supply.

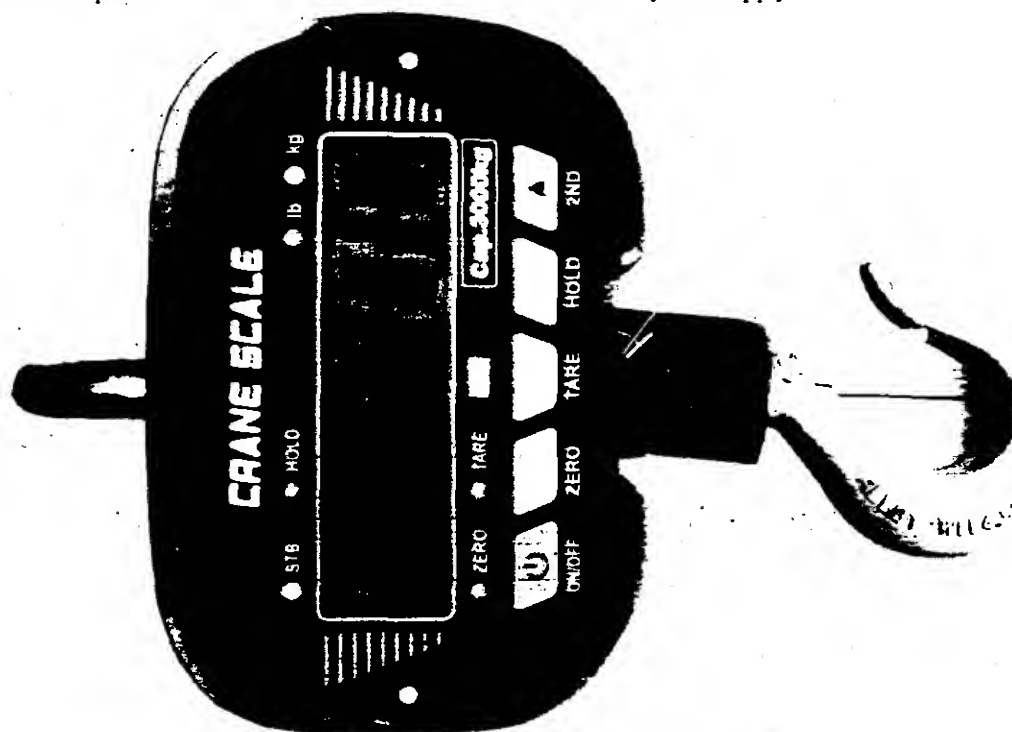


Figure-2 Sealing arrangement

Sealing point is affixed on the stamping plate is fixed on body of the indicator with the wire, in such a way that the wire passing from the body of scale with the lead seal. Sealing shall done to prevent opening of the weighing machine for fraudulent practice. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 500 kg and up to 10000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (48)/2009]

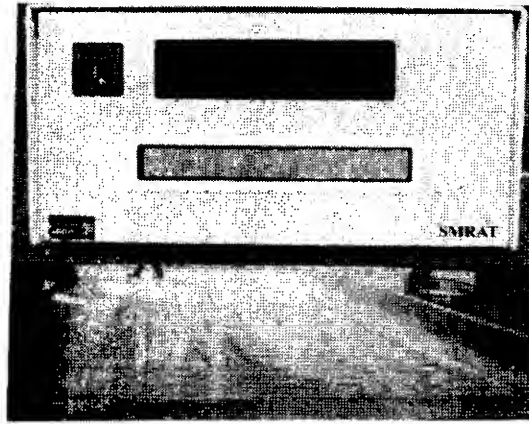
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2746.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स आर. के. वेइंग कं., 21/ए, सुलतान नगर, गुर्जुर थाडी, जयपुर (राजस्थान) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "आरकेबी-6" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेबिज टाइप) के मॉडल का, जिसके ब्रांड का नाम "सम्राट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/211 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (वेबिज टाइप) है। इसकी अधिकतम क्षमता 60 टन है और न्यूनतम क्षमता 200 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



तार स्केल की बाड़ी में से लीड सील के साथ इस तरफ निकाला गया है कि इंडीकेटर की बाड़ी पर दोनों तरफ तार द्वारा स्ट्राम्पिंग प्लेट पर सीलिंग प्वाइंट लगाया गया है, तोलन मशीन को कपटपूर्ण व्यवहारों को रोकने के लिए सीलिंग की गई है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 200 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^3$ ,  $2 \times 10^3$ ,  $5 \times 10^3$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (92)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान



New Delhi, the 29th September, 2009

**S.O. 2746.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge type) with digital indication of medium accuracy (Accuracy class-III) of series "RKB-6" and with brand name "SMRAT" (hereinafter referred to as the said model), manufactured by M/s. R. K. Weighing Co. 21/A, Sultan Nagar, Gurjur Thadi, Jaipur (Rajasthan) and which is assigned the approval mark IND/09/09/211;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge Type) with a maximum capacity of 60 tonne and minimum capacity of 200kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode display (LED) indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternate current power supply.

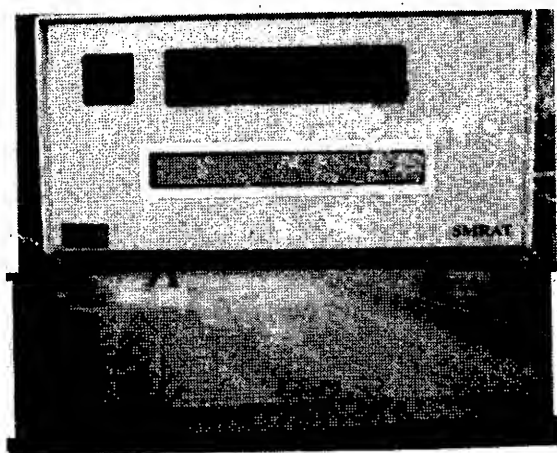


Figure-3 Sealing provision of the indicator of the model

Sealing point is affixed on the stamping plate is fixed on body of the indicator with the wire, in such a way that the wire passing from the body of scale with the lead seal. Sealing shall done to prevent opening of the weighing machine for fraudulent practice. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (92)/2009]

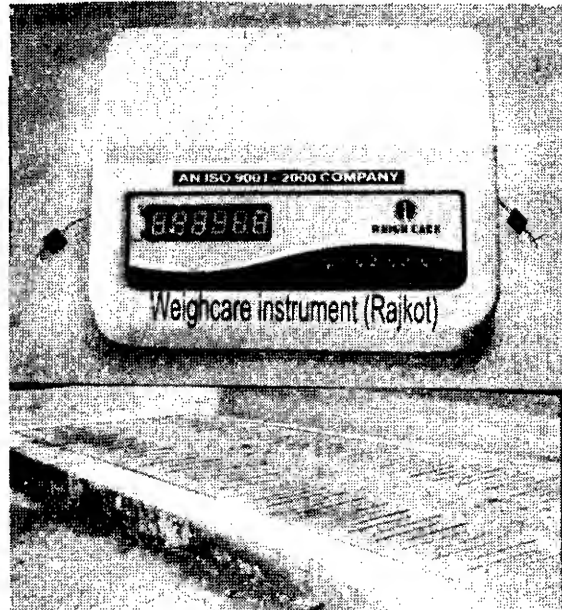
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

**का.आ. 2747.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स व्हेकेयर इंस्ट्रूमेंट, सी-1, शांतिनिकेतन कम्प्लैक्स, 150 फीट रिंग रोड, धर्म नगर के पास, राजकोट (गुजरात) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "डब्ल्यू आई डब्ल्यू बी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेब्रिज प्रकार) के मॉडल का, जिसके ब्रांड का नाम "व्हेकेयर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/177 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (वेब्रिज टाइप) है। इसकी अधिकतम क्षमता 40 टन है और न्यूनतम क्षमता 100 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्प और सीलिंग के सत्यापन के लिए इंडीकेटर के किसी भी तरफ आऊटर और इनर कवर काट कर दो छेद किए गए हैं। इन दोनों छेदों को लीड और वायर से कसा गया है। उपकरण को सील के छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^3$ ,  $2 \times 10^3$ ,  $5 \times 10^3$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (76)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2009

**S.O. 2747.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge Type) with digital indication of medium accuracy (Accuracy class-III) of series "WIWB" and with brand name "WEIGHCARE" (hereinafter referred to as the said model), manufactured by M/s. Weighcare Instrument, C-1, Shantiniketan Complex, 150 Ft. Ring Road, Nr. Dharam Nagar, Rajkot (Gujrat) and which is assigned the approval mark IND/09/09/177;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge Type) with a maximum capacity of 40 tonne and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 percent subtractive retained tare effect. The light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, and 50-Hertz alternate current power supply.



By the either side of the indicator, two holes are made by cutting the outer and inner cover and fastened by the lead wire through these two holes for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (76)/2009]

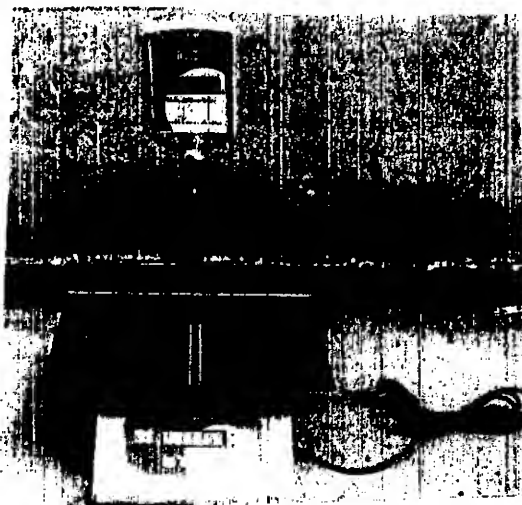
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2748.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स न्यू इन्डेल सकेल्स एंड सिस्टम, आरजैडए-152, निहाल विहार, नांगलोई, नई दिल्ली-110041 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "आईएचटीटी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "न्यू इन्डेल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/239 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टायम और सीलिंग के सत्यापन के लिए तुला के दायीं तरफ आऊटर कवर और तल प्लेट में काट कर १ रों में से लीडिड सीलिंग वायर निकाल कर दो बोरेड स्कू से कसा गया है। उपकरण को सील के छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (118)/2009]

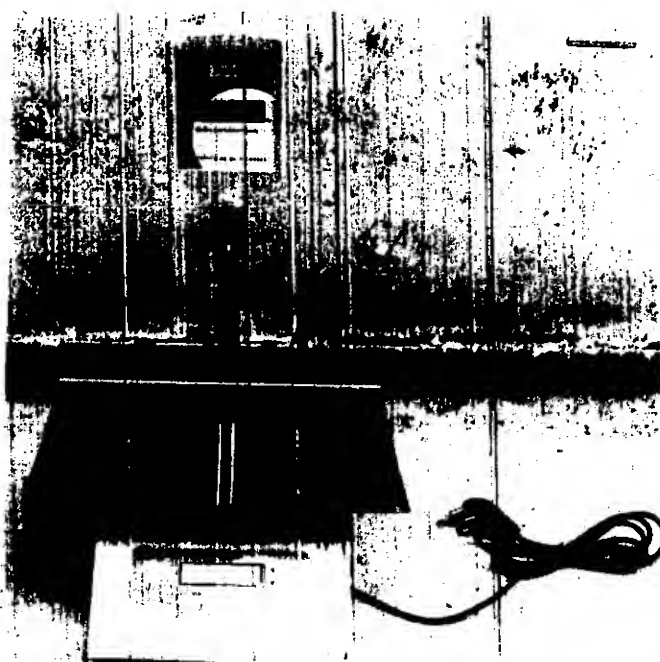
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2009

**S.O. 2748.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop Type) with digital indication of high accuracy (Accuracy class-II) of series "1HTT" and with brand name "NEW INDEL" (hereinafter referred to as the said model), manufactured by M/s. New Indel Scales and Systems, RZA-152, Nihal Vihar, Nangloi, New Delhi-110041 which is assigned the approval mark IND/09/09/239;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop Type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 2 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts, and 50-Hertz alternative current power supply.



On the right side of the balance, two bored screws are fastened by a leaded sealing wire, passing under the outer cover and bottom plate, for receiving stamp and seal. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg. to 50 mg. verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (118)/2009]

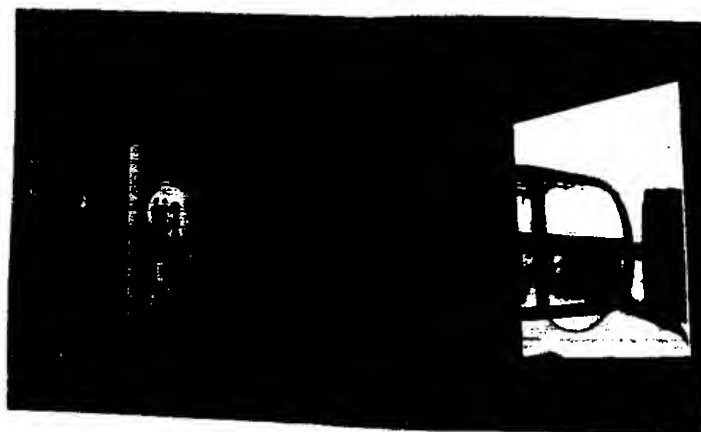
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2749.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स न्यू इन्डेल सकेल्स एंड सिस्टम, आरजेडए-152 निहाल विहार, नांगलोई, नई दिल्ली-110041 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "आईएलपीएफ" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "न्यू इन्डेल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/240 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 200 कि.ग्रा. है और न्यूनतम क्षमता 400 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 20 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



सर्किट और मैकेनिकल असेंबली की सुरक्षा और कपटपूर्ण व्यवहारों से रोकने के लिए स्टाम्पिंग प्लेट के दायीं तरफ लीड सील को लगाया जाता है। उपकरण की बाड़ी पर दिए गए छेदों के माध्यम से लीड और सील तार लगाकर सीलिंग की जा सकती है। उपकरण को सील के छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^3$ ,  $2 \times 10^3$ ,  $5 \times 10^3$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (118)/2009]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान



New Delhi, the 29th September, 2009

**S.O. 2749.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform Type) with digital indication of medium accuracy (Accuracy class-III) of series "ILPF" and with brand name "NEW INDEL" (hereinafter referred to as the said model), manufactured by M/s. New Indel Scales and Systems, RZA-152, Nihal Vihar, Nangloi, New Delhi-110041 and which is assigned the approval mark IND/09/09/240;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 200 kg. and minimum capacity of 400g. The verification scale interval (e) is 20 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, and 50-Hertz alternative current power supply.

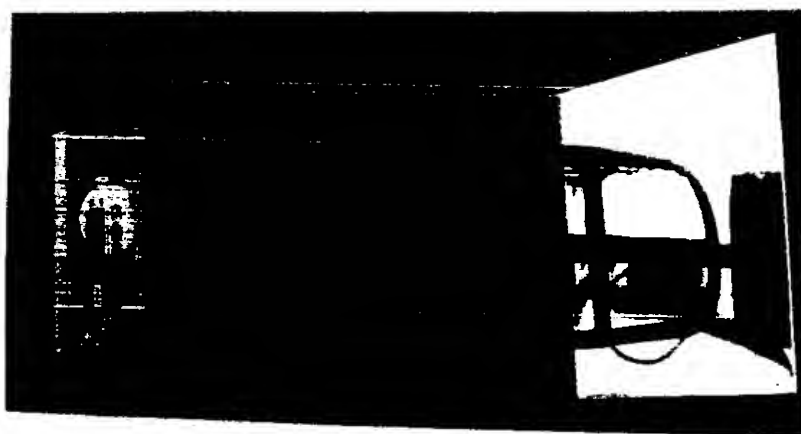


Figure-2 Sealing provision of the indicator of model

Lead seal is affixed on the right side of the stamping plate for the security of circuit and mechanical assembly to avoid fraudulent use. Sealing can be done by applying lead and seal wire through the holes provided on the body of the instrument. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/ mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. up to 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (118)/2009]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2750.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सिमन्धर टेक्नोलॉजी, 113, प्रथम तल, मधुकांत-II, बरदोलपुरा म्युनिसिपल स्कूल के सामने, ओल्ड मधुपुरा, अहमदाबाद-380004 (गुजरात) द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "एसटीटी II" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "SHRI SAI" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/120 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 20 कि.ग्रा. है और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्ट्याम्प और सीलिंग के सत्यापन के लिए तुला के दायीं तरफ अपर कवर और तल प्लेट में काट कर दो छेद किए गए हैं और इन दोनों छेदों को लीड वायर से कसा गया है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$ ,  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (60)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2009

**S.O. 2750.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top Type) with digital indication of high accuracy (Accuracy class-II) of series "ST-T II" and with brand name "SHRI SAI" (hereinafter referred to as the said model), manufactured by M/s. Simandhar Technology, 113, First Floor, Madhukant-II, Opp. Bardolpura Municipal School, Old Madhupura, Ahmedabad-380004 (Gujrat) which is assigned the approval mark IND/09/09/120;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 20 kg. and minimum capacity of 50g. The verification scale interval (e) is 1g. It has a tare device with a 100 percent subtractive retained tare effect. The light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts, and 50-Hertz alternative current power supply.

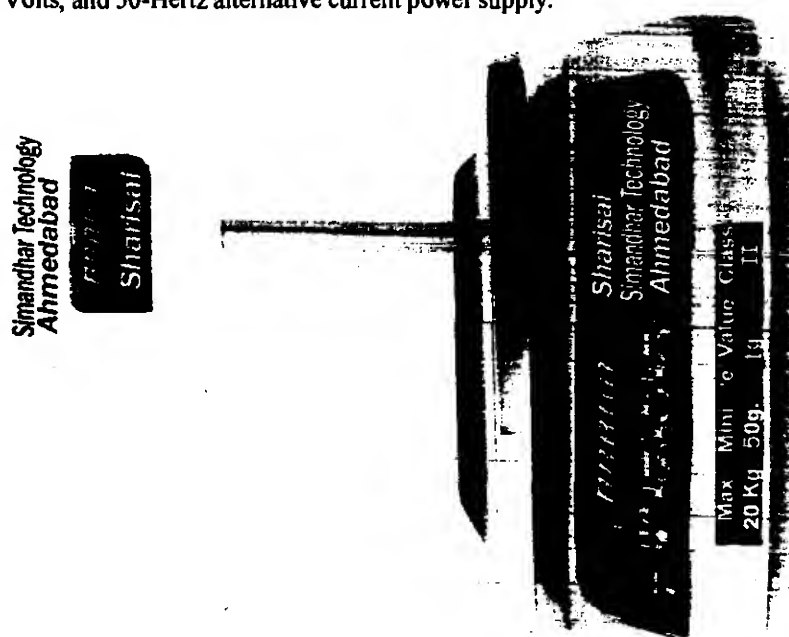


Figure-2 Schematic diagram of sealing provision of the model

From the right side of the weighing scale two holes are made by cutting the upper cover and bottom plate and fastened by a leaded wire through these two holes for receiving the verification stamp and seal. The weighing scale can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg. to 50 mg. and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (60)/2009]

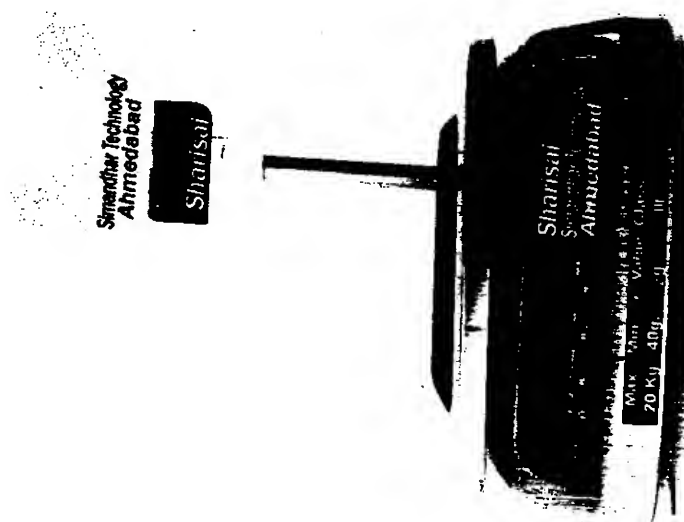
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

**का.आ. 2751.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा:

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सिमन्धर टेक्नोलॉजी, 113, प्रथम तल, मधुकांत-II, बरदोलपुरा म्युनिसिपल स्कूल के सामने, ओल्ड मधुपुरा, अहमदाबाद-380004 (गुजरात) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “एसटीटी III” शृंखला के अंकक सूचन सहित, अस्वचालित तौलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “SHRI SAI” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/121 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) है। इसकी अधिकतम क्षमता 20 कि.ग्रा. है और न्यूनतम क्षमता 40 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। की-बोर्ड प्रचालन सुविधा सहित बिलिंग मशीन है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्प और सीलिंग के सत्यापन के लिए तुला के दायाँ तरफ अपर कवर और तल प्लेट में काट कर दो छेद किए गए हैं और इन दोनों छेदों को लीड वायर से कसा गया है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबन्ध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$ ,  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (60)/2009]

आर. माथुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2009

**S.O. 2751.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top Type) with digital indication of medium accuracy (Accuracy class-III) of series "ST-T III" and with brand name "SHRI SAI" (hereinafter referred to as the said model), manufactured by M/s. Simandhar Technology, 113, First Floor, Madhukant-II, Opp. Bardolpura Municipal School, Ahmedabad-380004 (Gujrat) which is assigned the approval mark IND/09/09/121;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 20 kg. and minimum capacity of 40g. The verification scale interval (e) is 2g. It has billing machine with key board operatin facility. It has a tare device with a 100 percent subtractive retained tare effect. The light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, and 50-Hertz alternative current power supply.

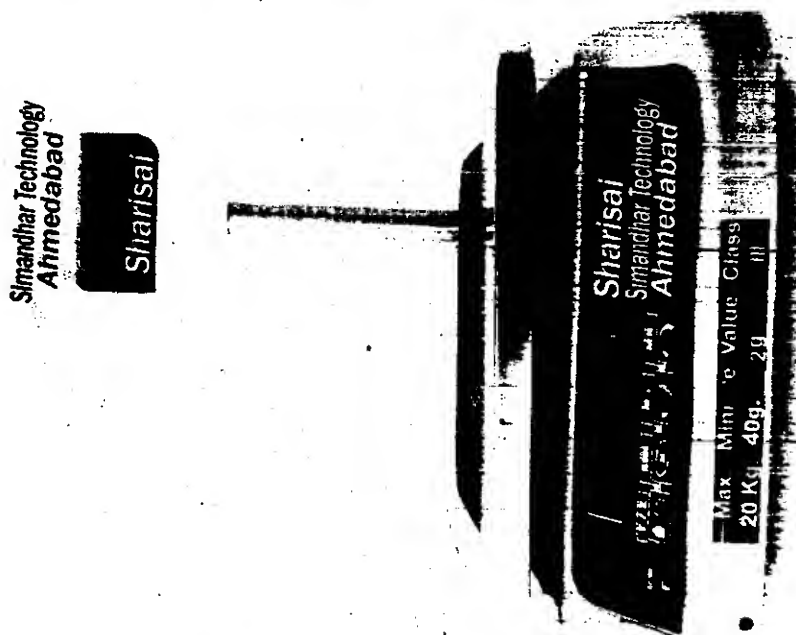


Figure-2 Schematic diagram of sealing provision of the model

From the right side of the weighing scale two holes are made by cutting the upper cover and bottom plate and fastened by a leaded wire through these two holes for receiving the verification stamp and seal. The weighing scale can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2 g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (60)/2009]

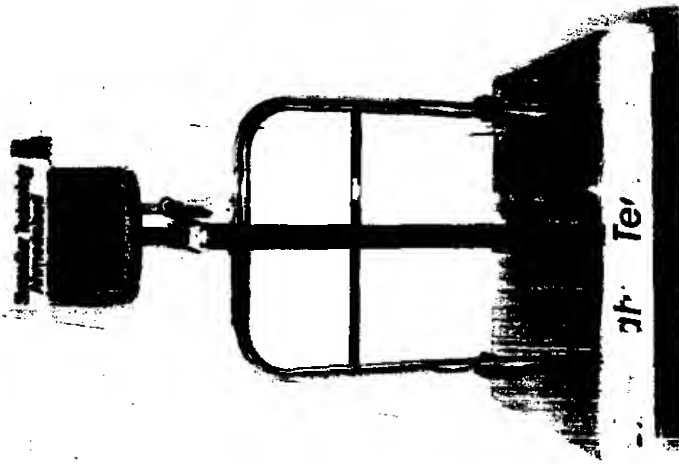
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2752.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सिमन्धर टेक्नोलॉजी, 113, प्रथम तल, मधुकांत-II, बरदोलपुरा म्युनिसिपल स्कूल के सामने, ओल्ड मधुपुरा, अहमदाबाद-380004 (गुजरात) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एसटीपी III" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "SHRI SAI" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/122 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्ट्याम्प और सीलिंग के सत्यापन के लिए तुला के दायीं तरफ अपर कवर और साइड प्लेट काट कर दो छेद किए गए हैं और इन दोनों छेदों को लीड वायर से कसा गया है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्रारूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (60)/2009]

आर. माधुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2009

**S.O. 2752.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform Type) with digital indication of medium accuracy (Accuracy class-III) of series "ST-P III" and with brand name "SHRI SAI" (hereinafter referred to as the said model), manufactured by M/s. Simandhar Technology, 113, First Floor, Madhukant-II, Opp. Bardolpura Municipal School, Old Mathupura, Ahmedabad-380004 (Gujrat) which is assigned the approval mark IND/09/09/122;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 1000 kg and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, and 50-Hertz alternative current power supply.

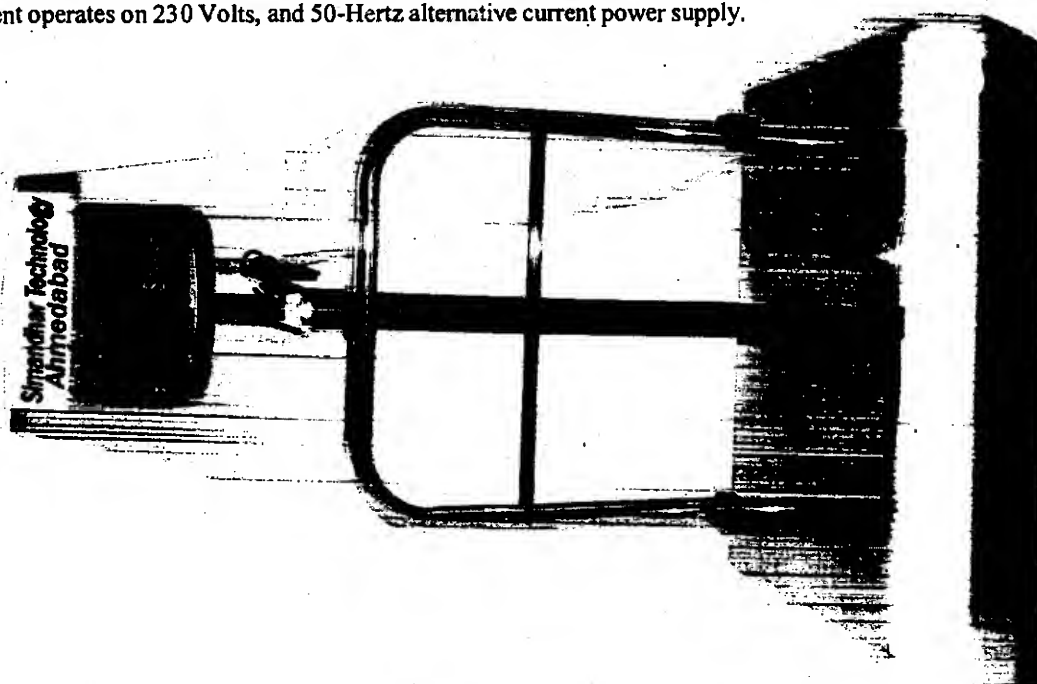


Figure-2 Sealing provision of the indicator of model

From the right side of the indicator two holes are made by cutting the upper cover and side plate and fastened by a leaded wire through these two holes for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and upto 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (60)/2009]

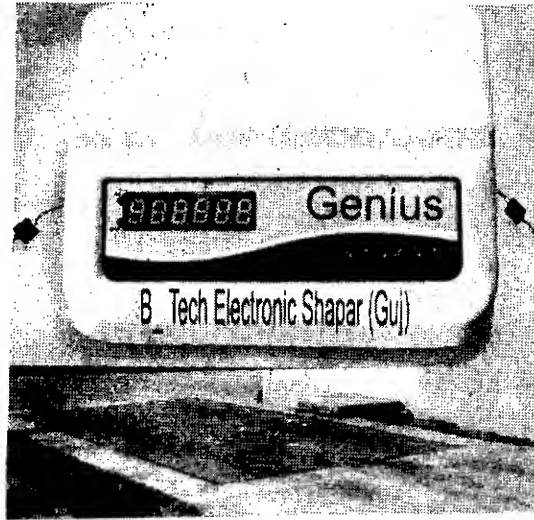
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 27. 3.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स बी. टेक इलेक्ट्रॉनिक्स, 36, अंकुर इंडस्ट्रियल एस्टेट, आर.एस. नं. 275/1 और 276, शापर-360030, तालुका-कोटदा सांगनी, जिला-राजकोट द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "बीटीडब्ल्यूबी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेब्रिज टाइप) के मॉडल का, जिसके ब्रांड का नाम "जिनियस डीजी स्केल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/195 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 40 टन है और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



इंडीकेटर की बाड़ी पर किसी भी तरफ तार के साथ स्टाम्पिंग प्लेट लगाई गई है जिस पर सीलिंग प्वाइंट लगाया गया है, स्केल की बाड़ी में से वायर निकाला गया है जिस पर लीड सील है। कपटपूर्ण व्यवहार से तोलन उपकरण को खोले जाने से रोकने के लिए सीलिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्रारूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी कलिब्रेशन तक पहुंच की सुविधा है। बाहरी कलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मंदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (85)/2006]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान



New Delhi, the 29th September, 2009

**S.O. 2753.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge) with the digital indication of medium accuracy (Accuracy class-III) of series "BTWB" and with brand name "Genius Digi Scale" (hereinafter referred to as the said model), manufactured by M/s. B Tech Electronic, 36, Ankur Indl. Estate, R. S. No. 275/1 and 276 Shaper-360030, Taluka-Kotda Sangani, District-Rajkot and which is assigned the approval mark IND/09/09/195;

The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 40 tonne and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, and 50-Hertz alternative current power supply.

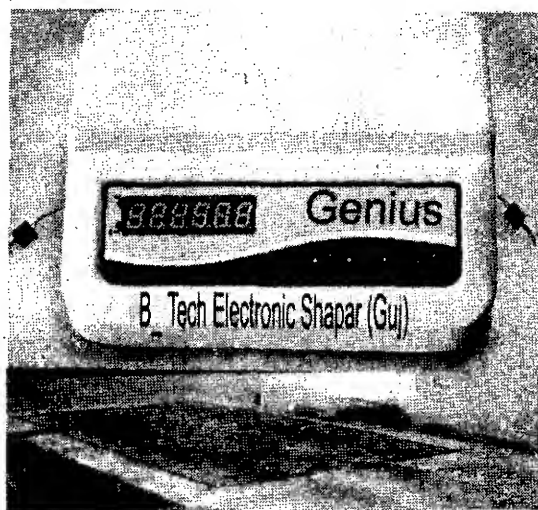


Figure-3 Sealing arrangement

Sealing point is affixed on the stamping plate is fixed on either side body of the indicator with the wire, in such a way that the wire passing from the body of scale with the lead seal. Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and upto 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

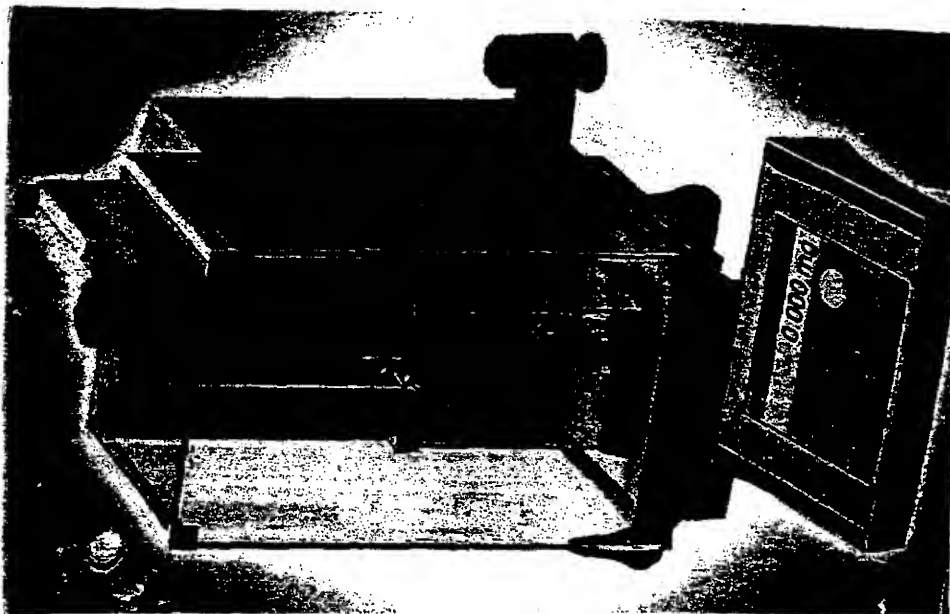
[F. No. WM-21 (85)/2009]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2754.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स मेटलर-टोलेडो ए जी, इम लैंगचर, 8606, ग्रीफेंसी, स्विटजरलैंड द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग 1) वाले "एक्स पी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मेटलर-टोलेडो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे भारत में बिक्री से पहले या बाद में बिना किसी परिवर्तन के मैसर्स मेटलर-टोलेडो इंडिया प्राइवेट लि., अमर हिल्स, साकी विहार रोड, पोवई, मुंबई-400072 महाराष्ट्र द्वारा विपणीत किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/09/182 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।



उक्त मॉडल विंडो टाइप टेक्नोलॉजी सहित मास कंप्यूटेटर पर आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 5100 ग्रा. है और न्यूनतम क्षमता 100 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। उपकरण को सीधा जनता को बेचने के लिए अभिप्रेत नहीं है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. या इससे अधिक के "ई" मान के लिए 50,000 या अधिक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

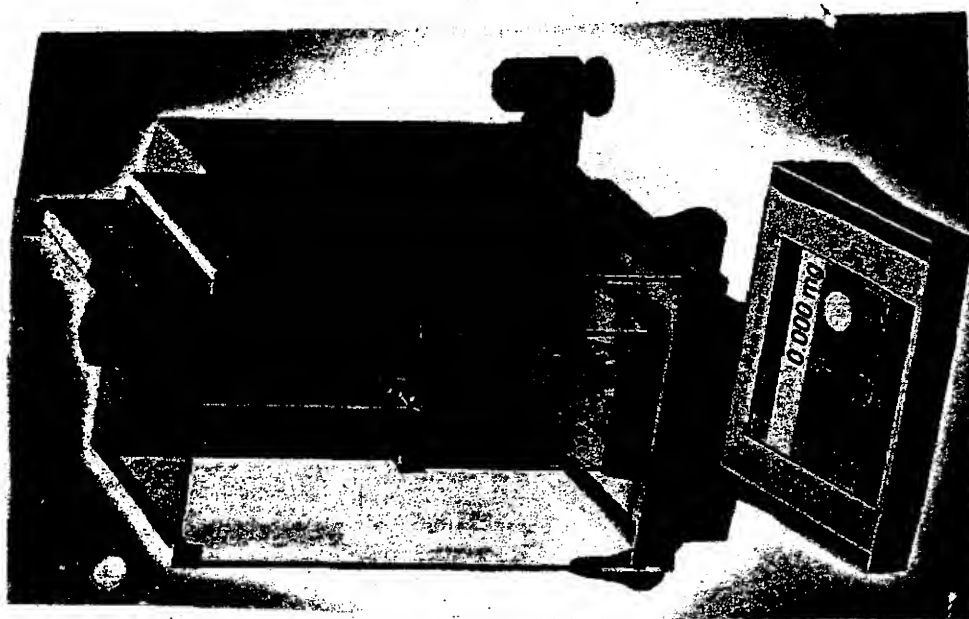
[फा. सं. डब्ल्यू एम-21 (54)/2009]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2009

**S.O. 2754.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with the digital indication of special accuracy (Accuracy class-I) of series "XP" and with brand name "METTLER TOLEDO" (hereinafter referred to as the said model), manufactured by M/s. Mettler Toledo AG, Im Langacher, 8606 Greifensee, Switzerland and marketed in India without any alteration before or after sale by M/s. Mettler Toledo India Pvt. Ltd., Amar Hills, Saki Vihar, Powai, Mumbai-400072, Maharashtra and which is assigned the approval mark IND/09/09/182;



The said model is based mass comparator with window type technology non-automatic weighing instrument with a maximum capacity of 5100g. and minimum capacity of 100mg. The verification scale interval (e) is 1mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) indicates the weighing results. The instrument operates on 230 Volts, and 50-Hertz alternative current power supply. The instrument is not intended to be used for direct sale to public.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 50,000 or above for 'e' value of 1mg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21 (54)/2009]

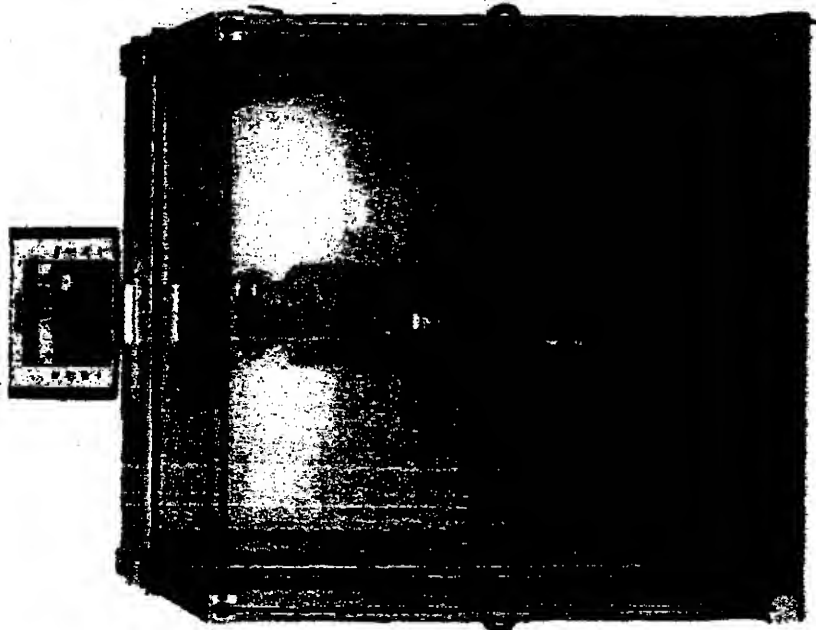
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2755.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स मेटलर-टोलेडो एंजी, इम लैंगचर, 8606, ग्रीफेंसी, स्विटजरलैंड द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग-1) वाले "एक्स पी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मेटलर-टोलेडो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे भारत में बिक्री से पहले या बाद में बिना किसी परिवर्तन के मैसर्स मेटलर-टोलेडो इंडिया प्राइवेट लि., अमर हिल्स, साकी विहार रोड, पोवई, मुंबई-400072 महाराष्ट्र द्वारा विपणीत किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/09/183 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल विंडो टाइप टेक्नोलोजी सहित मास कोम्पेरेटर पर आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 600 कि.ग्रा. है और न्यूनतम क्षमता 10 ग्रा. है। सत्यापन मापमान अंतराल (ई) 0.1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। उपकरण को सीधा जनता को बेचने के लिए अभिप्रेत नहीं है।



और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. या इससे अधिक के "ई" मान के लिए 50,000 या अधिक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (54)/2009]

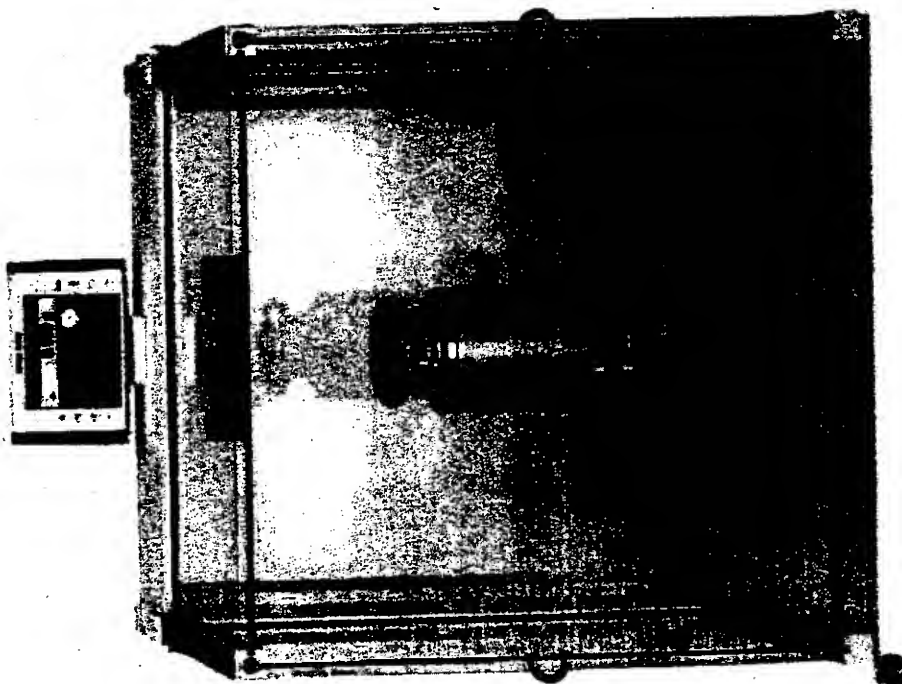
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2009

**S.O. 2755.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of special accuracy (Accuracy class-I) of series "XP" and with brand name "METTLER TOLEDO" (hereinafter referred to as the said model), manufactured by M/s. Mettler Toledo AG, Im Langacher, 8606 Greifensee, Switzerland and marketed in India without any alteration before or after sale by M/s. Mettler Toledo India Pvt. Ltd., Amar Hills, Saki Vihar, Powai, Mumbai-400072, Maharashtra and which is assigned the approval mark IND/09/09/183;

The said model is based mass comparator with window type technology non-automatic weighing instrument with a maximum capacity of 600kg. and minimum capacity of 10g. The verification scale interval (e) is 0.1g. It has a tare device with a 100 percent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing results. The instrument operates on 230 Volts, and 50-Hertz alternative current power supply. The instrument is not intended to be used for direct sale to public.



Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. to 5000 kg. with verification scale interval (n) in the range of 50,000 or above for 'e' value of 1mg, or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (54)/2009]

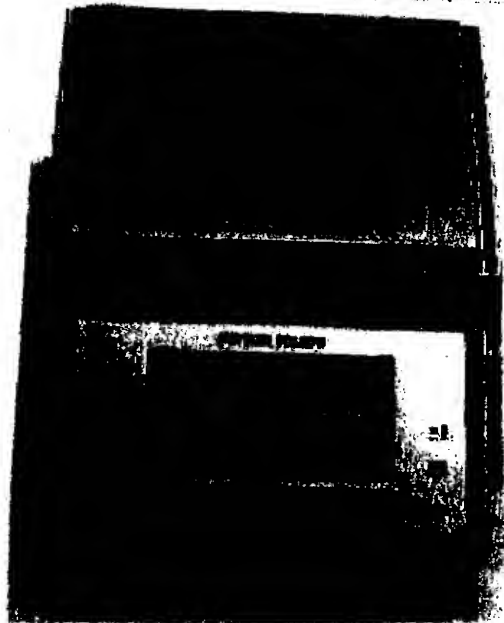
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2756.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स मेटलर-टोलेडो ए जी, इम लैंगवर्, 8606, ग्रीफेंसी, स्विट्जरलैंड द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग I) वाले "एक्स जे" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मेटलर-टोलेडो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे भारत में बिक्री से पहले या बाद में बिना किसी परिवर्तन के मैसर्स मेटलर-टोलेडो इंडिया प्राइवेट लि., अमर हिल्स, साकी विहार रोड, पोवई, मुंबई-400072 महाराष्ट्र द्वारा विपणीत किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/09/184 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक इलैक्ट्रो मैग्नेटिक फोर्स कम्पेन्सेशन प्रिंसीपल सहित मोनो ब्लॉक टेक्नोलोजी पर आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 3100 ग्रा. है और न्यूनतम क्षमता 0.2 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। उपकरण को सीधा जनता को बेचने के लिए अभिप्रेत नहीं है।



और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. या उससे अधिक के "ई" माप के लिए 50,000 या अधिक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" माप 1×10<sup>-6</sup>, 2×10<sup>-6</sup>, 5×10<sup>-6</sup>, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (54)/2009]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2009

**S.O. 2756.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top Type) with digital indication of special accuracy (Accuracy class-I) of series "XJ" and with brand name "METTLER TOLEDO" (hereinafter referred to as the said Model), manufactured by M/s. Mettler Toledo AG, Im Langacher, 8606 Greifensee, Switzerland and marketed in India without any alteration before or after sale by M/s. Mettler Toledo India Pvt. Ltd., Amar Hills, Saki Vihar Road, Powai, Mumbai-400072, Maharashtra and which is assigned the approval mark IND/09/09/184;

The said Model is an electro magnetic force compensation principle with mono block technology based non-automatic weighing instrument with a maximum capacity of 3100g and minimum capacity of 0.2g. The verification scale interval (e) is 2mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230V, 50Hz alternative current power supply. The instrument is not intended to be used for direct sale to public.



Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 50,000 or above for 'e' value of 1mg or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21 (54)/2009]

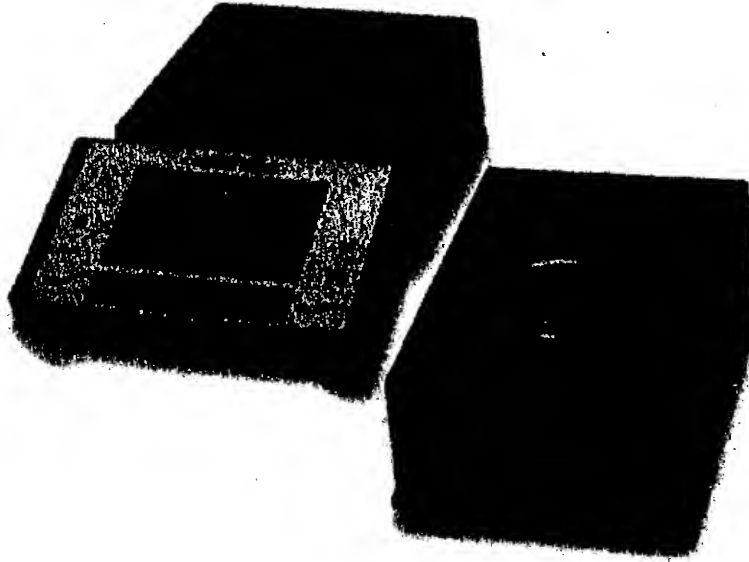
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2757.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मेटलर-टोलेडो ए जी, इम लैंगचर, 8606, ग्रीफेंसी, स्विट्ज़रलैंड द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग 1) वाले “डब्ल्यू एक्स” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “मेटलर-टोलेडो” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे भारत में बिक्री से पहले या बाद में बिना किसी परिवर्तन के मैसर्स मेटलर-टोलेडो इंडिया प्राइवेट लि., अमर हिल्स, साकी विहार रोड, पोवई, मुंबई-400072 महाराष्ट्र द्वारा विपणीत किया गया है और जिसे अनुमोदन-चिह्न आई एन डी/09/09/185 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक इलैक्ट्रो मैग्नेटिक फोर्स कम्पेनसेशन प्रिंसीपल सहित मोनो ब्लॉक टेक्नोलोजी पर आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 220 ग्रा. है और न्यूनतम क्षमता 0.1 ग्रा. है। सत्यापन मापमान अंतराल (ई) 1.0 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। उपकरण को सीधा जनता को बेचने के लिए अभिप्रेत नहीं है।



और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 50,000 या अधिक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$ ,  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू एम-21 (54)/2009]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

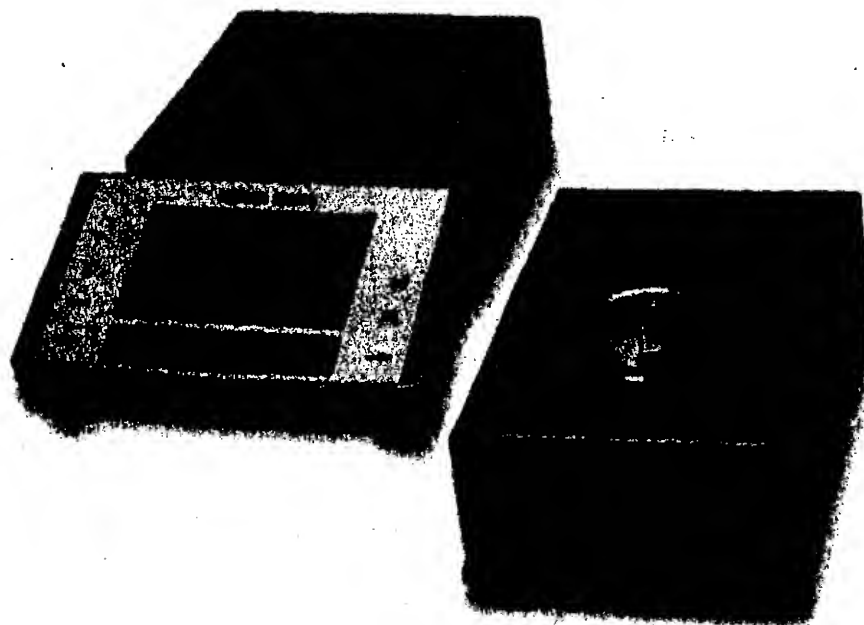


New Delhi, the 29th September, 2009

**S.O. 2757.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top Type) with digital indication of special accuracy (Accuracy class-1) of series "WX" and with brand name "METTLER TOLEDO" (hereinafter referred to as the said Model), manufactured by M/s. Mettler Toledo AG, Im Langacher, 8606 Greifensee, Switzerland and marketed in India without any alteration before or after sale by M/s. Mettler Toledo India Pvt. Ltd., Amar Hills, Saki Vihar Road, Powai, Mumbai-400072, Maharashtra and which is assigned the approval mark IND/09/09/185;

The said Model is an electro magnetic force compensation principle with mono block technology based non-automatic weighing instrument with a maximum capacity of 220g and minimum capacity of 0.1g. The verification scale interval (e) is 1.0mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Diode (LCD) display indicates the weighing result. The instrument operates on 230V, 50Hz alternative current power supply. The instrument is not intended to be used for direct sale to public.



Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg, with verification scale interval (n) in the range of 50,000 or above for 'e' value of 1mg or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21 (54)/2009]

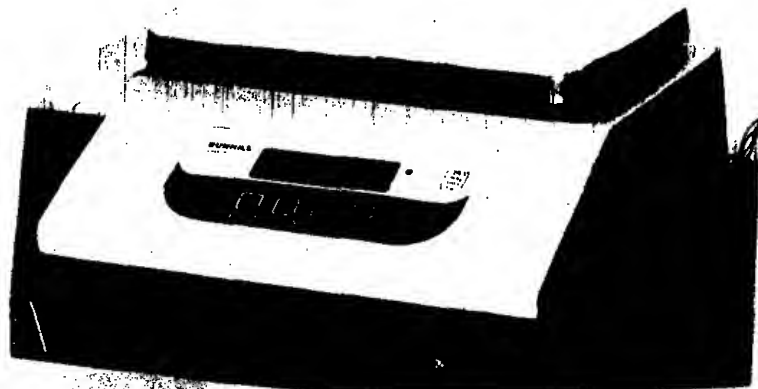
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2758.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स दीया इंजीनियर्स, गली परस राम सरोगी, घंटाघर चौक, सिरसा-122055 (हरियाणा) द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "डी ई टी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "डनहिल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/148 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 20 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्प और सीलिंग के सत्यापन के लिए तुला के दायीं तरफ अपर कवर और तल प्लेट में काट कर दो छेद किए गए हैं और इन दोनों छेदों को लीड वायर से कसा गया है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में कलिब्रेशन के लिए बाहरी पहुंच है। बाहरी कलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (70)/2009]

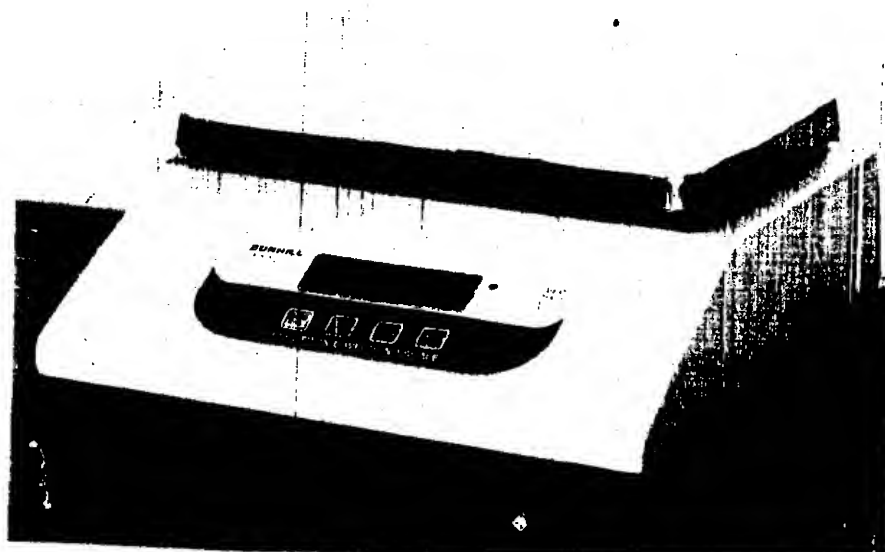
आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2009

**S.O. 2758.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top Type) with digital indication of high accuracy (Accuracy class-II) of series "DET" and with brand name "DUNHILL" (hereinafter referred to as the said model), manufactured by M/s. Deeya Engineers, Gali Paras Ram Saraogi, Ghantaghar Chowk, Sirsa-122055 (Haryana) which is assigned the approval mark IND/09/09/148;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 20 kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.



From the right side of the weighing scale two holes are made by cutting the upper cover and bottom plate and fastened by a leaded wire through these two holes for receiving the verification stamp and seal. The weighing scale can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (70)/2009]

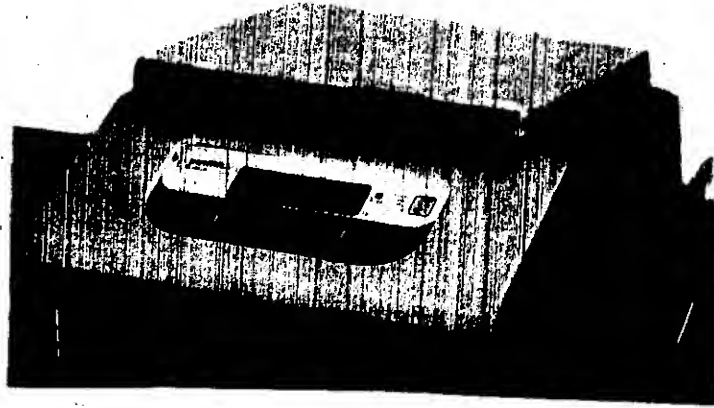
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2759.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स दीया इंजीनियर्स, गली परस राम सरोगी, घंटाघर चौक, सिरसा-122055 (हरियाणा) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “डी टी ई” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “डनहिल” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/149 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्प और सीलिंग के सत्यापन के लिए तुला के दायीं तरफ अपर कवर और तल प्लेट काट कर दो छेद किए गए हैं और इन दोनों छेदों को लीड वायर से कसा गया है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में कलिब्रेशन के लिए बाहरी पहुंच है। बाहरी कलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 मि.ग्रा. से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$ ,  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (70)/2009]

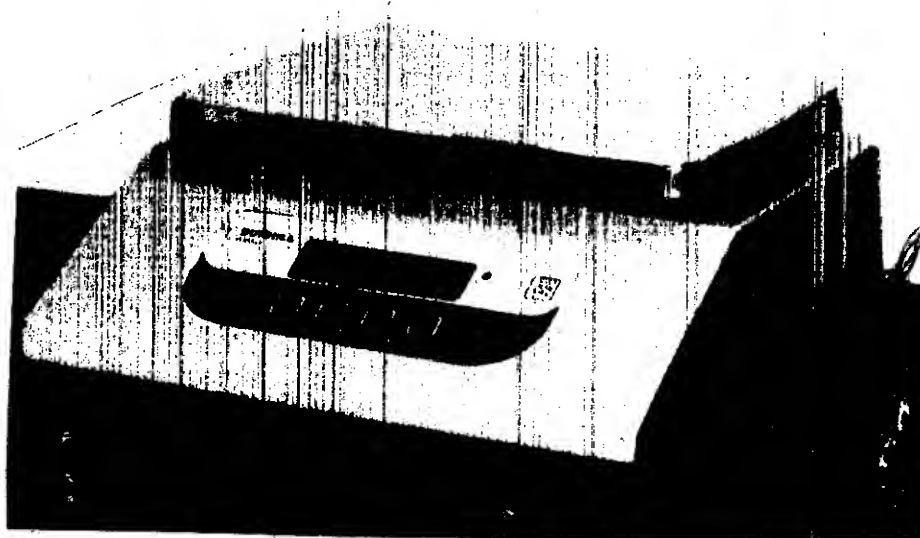
आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2009

**S.O. 2759.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top Type) with digital indication of medium accuracy (Accuracy class-III) of series "DTE" and with brand name "DUNHILL" (hereinafter referred to as the said model), manufactured by M/s. Deeya Engineers, Gali Paras Ram Saraogi, Ghantaghar Chowk, Sirsa-122 055 (Haryana) which is assigned the approval mark IND/09/09/149;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230V, 50Hz alternative current power supply.



From the right side of the weighing scale two holes are made by cutting the upper cover and bottom plate and fastened by a leaded wire through these two holes for receiving the verification stamp and seal. The weighing scale can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (70)/2009]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2760.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स दीया इंजीनियर्स, गली परस राम सरोगी, घंटाघर चौक, सिरसा-122055 (हरियाणा) द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "डी पी एफ" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "डनहिल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/150 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 300 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत, धनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्ट्याम्प और सीलिंग के सत्यापन के लिए तुला के दायीं तरफ अपर कवर और तल प्लेट में काट कर दो छेद किए गए हैं और इन दोनों छेदों को लीड वायर से कसा गया है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-3}$ ,  $2 \times 10^{-3}$ ,  $5 \times 10^{-3}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (70)/2009]

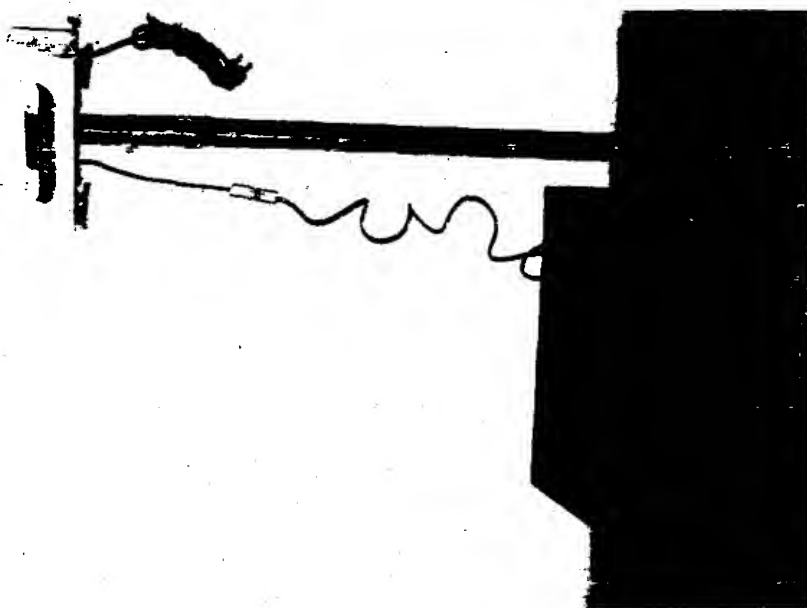
आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2009

**S.O. 2760.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "DPF" and with brand name "DUNHILL" (hereinafter referred to as the said model), manufactured by M/s. Deeya Engineers, Gali Paras Ram Saraogi, Ghantaghar Chowk, Sirsa-122 055 (Haryana) which is assigned the approval mark IND/09/09/150;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 300kg and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing results. The instrument operates on 230V, 50Hertz alternative current power supply.



From the right side of the weighing scale two holes are made by cutting the upper cover and bottom plate and fastened by a leaded wire through these two holes for receiving the verification stamp and seal. The weighing scale can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 5000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21 (70)/2009]

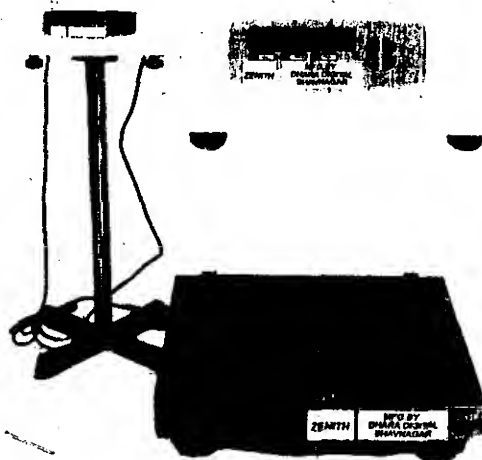
R. MATHUR BOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2761.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मेसर्स धारा डिजिटल, 8/ए, वर्धमान काम्पलेक्स, भदेवा नी शेरी, भावनगर, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "डी जेड-105" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "जेनिथ" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/316 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



मापमान के इंडिकेटर में बेस प्लेट और ऊपरी कवर में से तार निकाल कर और दोनों तरफ छेद करके सीलिंग की जाएगी। सील से छेड़छाड़ किए बिना इंडिकेटर को नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (248)/2008]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान



New Delhi, the 29th September, 2009

**S.O. 2761.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "DZ-105" and with brand name "ZENITH" (hereinafter referred to as the said model), manufactured by M/s. Dhara Digital, 8/A, Vardhman Complex, Bhadeva Ni Sheri, Bhavnagar, Gujarat and which is assigned the approval mark IND/09/08/316;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000kg and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230V, 50Hertz alternative current power supply.

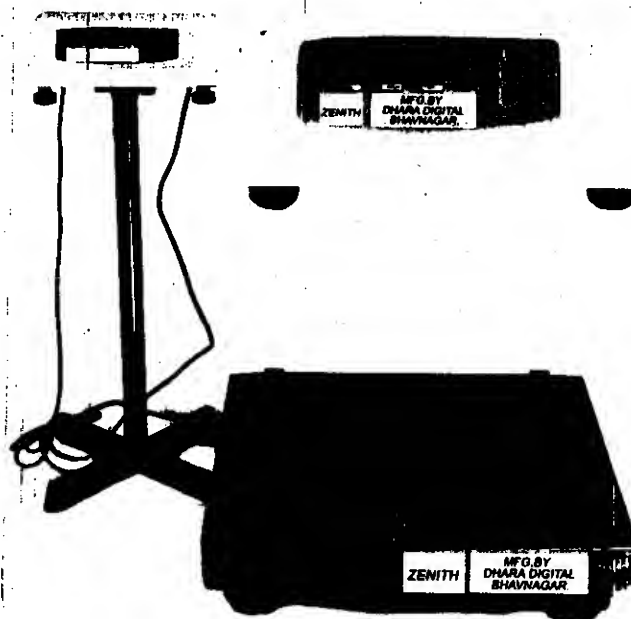


Figure-2 Sealing provision of the indicator of model

Sealing is done at both sides by making holes and by passing wire in between base plate and top cover in the indicator of the scale. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 5000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (248)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2762.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स धारा डिजिटल, 8/ए, वर्धमान काम्पलेक्स, भदेवा नी शरी, भावनगर, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "डी जेड-103" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "जेनिथ" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/317 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



**DHARA DIGITAL  
BHAVNAGAR.  
BRAND NAME- ZENITH**

वेइंग स्केल के किसी भी तरफ से बाहर और अंदर के कवर को काटकर दो छेद किए गए हैं और स्ट्याम्प और सील के सत्यापन के लिए इन दो छेदों के जरिए लीड और तार से बांधा जाएगा। सील से छेड़छाड़ किए बिना इंडिकेटर को नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-3}$ ,  $2 \times 10^{-3}$ ,  $5 \times 10^{-3}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (248)/2008]

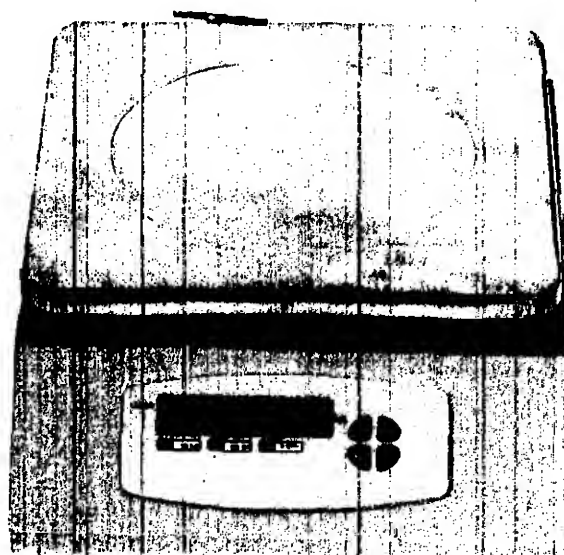
आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2009

**S.O. 2762.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of medium accuracy (Accuracy class-III) of series "DZ-103" and with brand name "ZENITH" (hereinafter referred to as the said model), manufactured by M/s. Dhara Digital, 8/A, Vardhman Complex, Bhadeva Ni-Sheri, Bhavnagar, Gujarat which is assigned the approval mark IND/09/08/317;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.



**DHARA DIGITAL  
BHAVNAGAR.  
BRAND NAME- ZENITH**

Figure-2 Schematic diagram of sealing provision of the model

By the either side of the weighing scale two holes are made by cutting the outer and inner cover and fastened by the lead and wire through these two holes for receiving the verification stamp and seal. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (248)/2008]

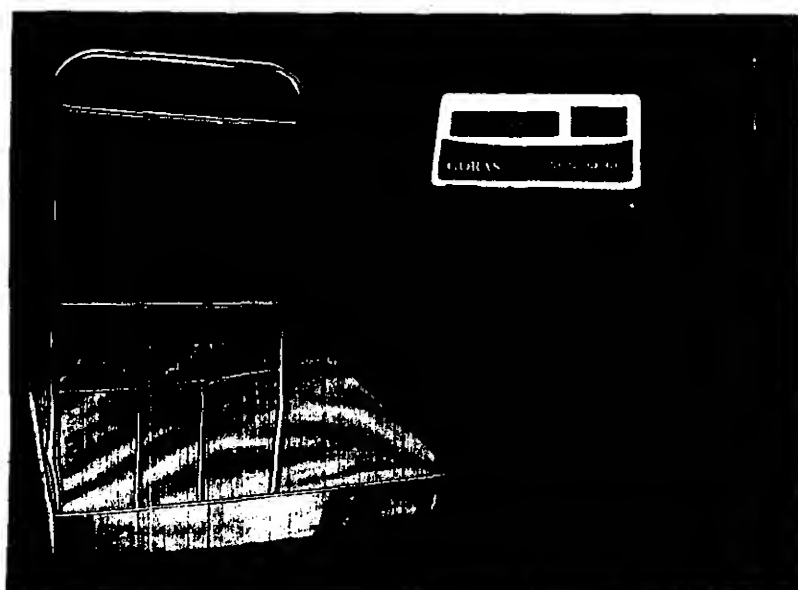
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2763.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स गोरस सिस्टम्स एल/837/5, मकरपुरा, जी आई डी सी, बड़ौदा-390010 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "जीपी-7" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "गोरस" है (जिसमें इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/612 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



कपटपूर्ण व्यवहारों को रोकने के लिए स्टाम्पिंग प्लेट पर सीलिंग पाइंट लगाया जाता है। पॉट इंडिकेटर की बाड़ी के अंदर है और पोस्ट के सामंजस्य के लिए बाड़ी पर कोई छेद नहीं दिया गया है। इन दोनों छेदों में से सील तार निकालकर सीलिंग की जाती है। इंडिकेटर को सील से छेड़छाड़ के बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (245)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2009

**S.O. 2763.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "GP-7" and with brand name "GORAS" (hereinafter referred to as the said model), manufactured by M/s. Goras Systems A1/837/5, Makarpura, G.I.D.C. Baroda-390010 and which is assigned the approval mark IND/09/08/612;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000kg and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230V, 50Hz alternative current power supply.

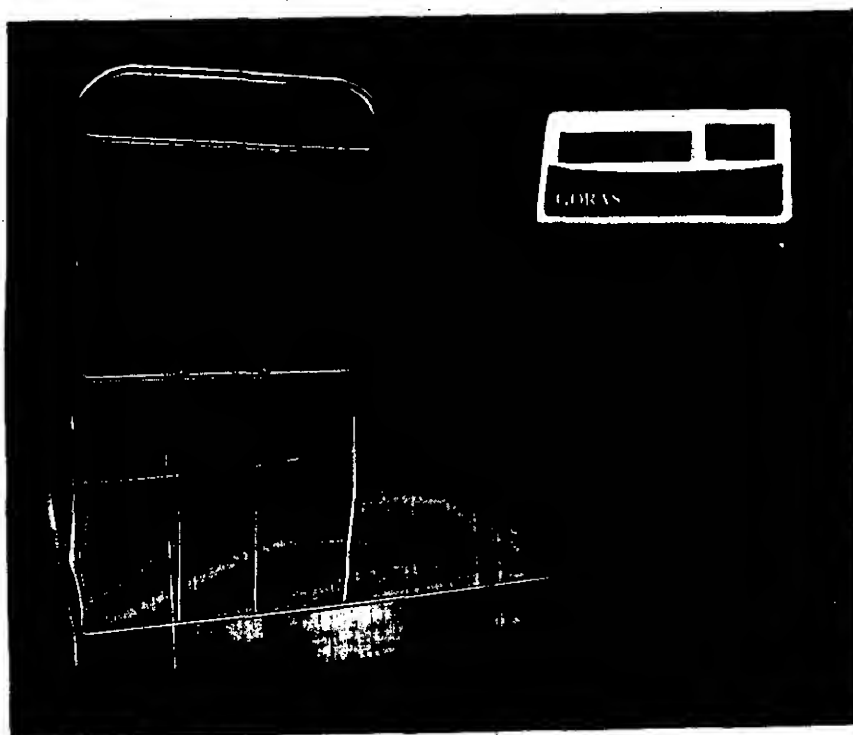


Figure-2 Sealing provision of the indicator of model

Sealing point is affixed on the stamping plate to avoid fraudulent use. The post is inside the body of the indicator and no hole is provided on the body for adjusting the post. A seal wire is passed through these holes and is sealed. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 5000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (245)/2008]

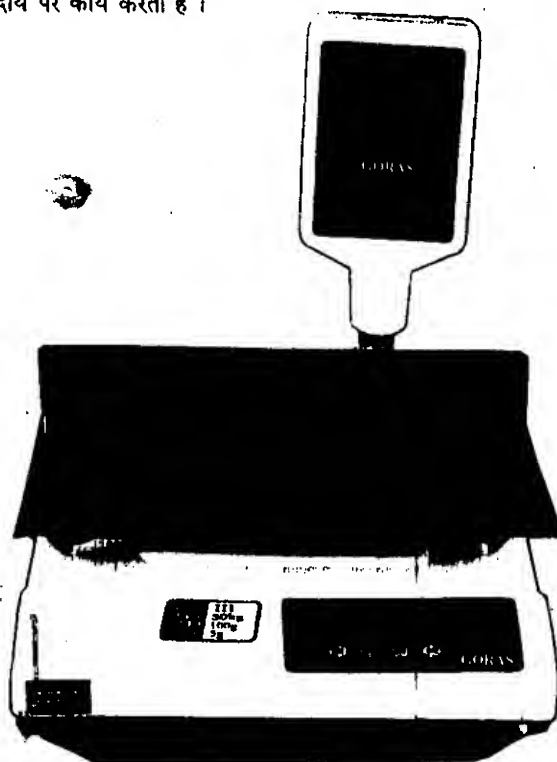
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2764.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स गोरस सिस्टम्स ए-1/837/5, मकरपुरा, जी आई डी सी, बड़ौदा-390010 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "जीटी-11" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "गोरस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/613 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



कपटपूर्ण व्यवहारों को रोकने के लिए स्टैम्पिंग प्लेट पर सीलिंग पाईट लगाया जाता है। पॉट इंडिकेटर की बाड़ी के अंदर है और पोस्ट के सामंजस्य के लिए बाड़ी पर कोई छेद नहीं दिया गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$ ,  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (245)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2009

**S.O. 2764.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of medium accuracy (Accuracy class-III) of series "GT-11" and with brand name "GORAS" (hereinafter referred to as the said model), manufactured by M/s. Goras Systems A1/837/5, Makarpura, G.I.D.C. Baroda-390010 and which is assigned the approval mark IND/09/08/613;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230V, 50Hz alternative current power supply.

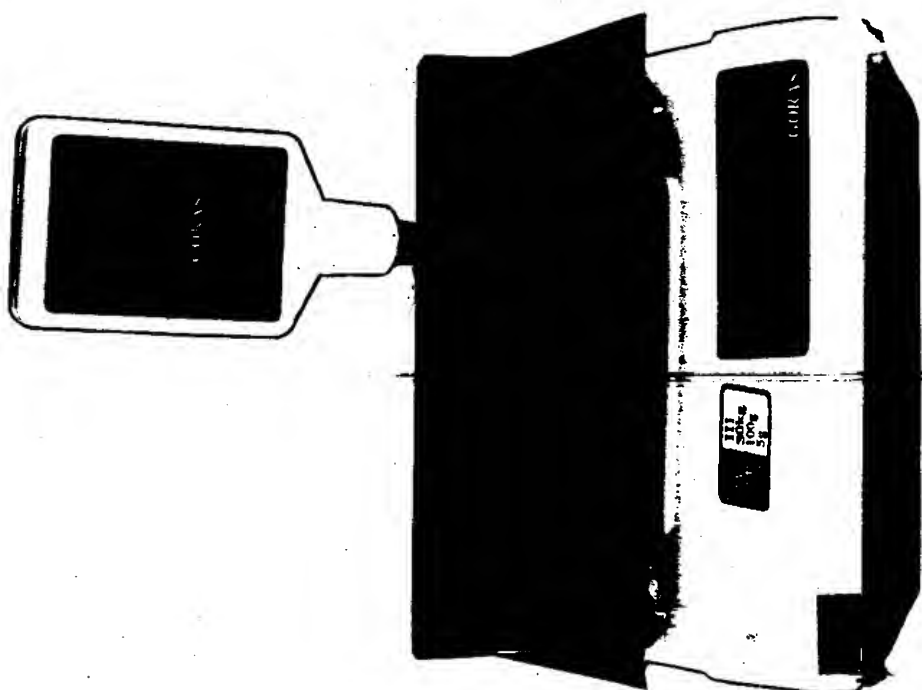


Figure-2 Schematic diagram of sealing provision of the model

Sealing point is affixed on the stamping plate to avoid fraudulent use. The trim pot is inside the body and no hole is provided on the body for adjusting the post. A seal wire is passed through these holes and is sealed. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (245)/2008]

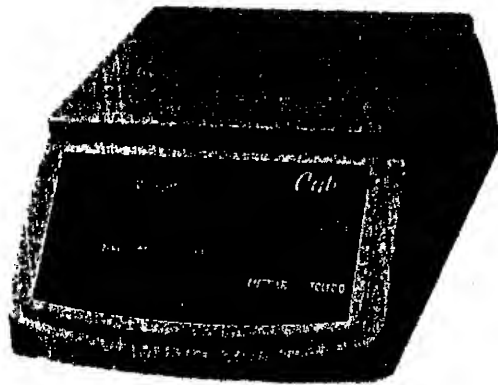
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2765.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मेटलर टोलेडो इंडिया प्राइवेट लि., अमर हिल्स, साकी विहार रोड, पोवई, मुंबई-400072 महाराष्ट्र द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "CUB" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप-डुअल रेंज) के मॉडल का, जिसके ब्रांड का नाम "मेटलर-टोलेडो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/600 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबलटाप प्रकार-डुअल रेंज) तोलन उपकरण है। इसकी अधिकतम क्षमता 15 कि.ग्रा. और न्यूनतम क्षमता 10 ग्रा. है। सत्यापन मापमान अंतराल (ई) 7.5 ग्रा. तक 0.2 ग्रा. और 7.5 कि.ग्रा. से 15 कि.ग्रा. तक 0.5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



सीलिंग वे पैन के नीचे की जाती है, जहां दो छेद किए गए स्कू हैं, इन दो छेदों को स्टाप्प और सील के सत्यापन करने के लिए लीड तार से बांधा जाता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$ ,  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (231)/2008]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान



New Delhi, the 29th September, 2009

**S.O. 2765.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top Type-dual range) with digital indication of "CUB" series of high accuracy (Accuracy class-II) and with brand name "METTLER TOLEDO" (hereinafter referred to as the said model), manufactured by M/s. Mettler Toledo India Pvt. Ltd., Amar Hills, Saki Vihar Road, Powai, Mumbai-400072, Maharashtra and which is assigned the approval mark IND/09/08/600;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type-dual range) with a maximum capacity of 15kg and minimum capacity of 10g. The verification scale interval (e) is 0.2g up to 7.5kg and 0.5g above 7.5kg and up to 15kg. It has tare device with a 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

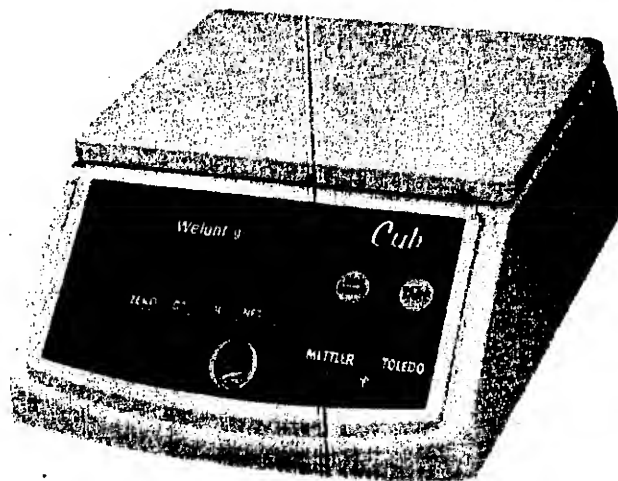


Figure-2 Sealing Diagram of the model

The sealing is done below the weigh pan, where there are two holes screws, through which is leaded wire is fastened for receiving the verification seal and stamp. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 50 mg and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (231)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 29 सितम्बर, 2009

का.आ. 2766.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स मैटलर टोलेडो इंडिया प्राइवेट लि., अमर हिल्स, साकी विहार रोड, पोवई, मुंबई-400072 महाराष्ट्र द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "LA" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप हुआल रेंज) के मॉडल का, जिसके ब्रांड का नाम "मेटलर टोलेडो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/601 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (टेबलटाप प्रकार - हुआल रेंज) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 40 ग्रा. है। सत्यापन मापमान अंतराल (ई) 15 कि.ग्रा. तक 2 ग्रा. और 15 कि.ग्रा. से 30 कि.ग्रा. तक 5 ग्रा. है। उपकरण में कुछ अतिरिक्त कार्य हैं जैसे मैनुअल कंट्रोल फंक्शन, प्री-पैकिंग, इन्वेंटरी फंक्शन, बलक सेल्ज, सेल्ज सर्विसिंग, सेल्ज रिसिप्ट, लेबल, सेल्फ लेबलिंग और प्रिंटिंग सुविधा आदि। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



सीलिंग वे पैन के नीचे की जाती है, जहां दो छेद किए गए स्कू है, इन दो छेदों को स्टाम्प और सील के सत्यापन करने के लिए लीड तार से बांधा जाता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले और "ई" मान 1x10के, 2x10के, 5x10के, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (231)/2008]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 29th September, 2009

**S.O. 2766.**— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weight and Measures Act, 1976 (60 of 1976) and the Standards of Weight and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top Type-dial range) with digital indication of "LA" series of medium accuracy (Accuracy class-III) and with brand name "METTLER TOLEDO" (hereinafter referred to as the said model), manufactured by M/s. Mettler Toledo India Pvt. Ltd. Amar Hills, Saki Vihar Road, Powai, Mumbai, Maharashtra and which is assigned the approval mark IND/09/08/601;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top-type-dual range) with a maximum capacity of 30kg and minimum capacity of 40kg. The verification scale interval (e) is 2 g. up to 15kg. and 5 g. above 15kg. and up to 30kg. The instrument has the following additional functions like manual control function, pre-packing, inventory function, bulk sales, self-servicing, sales receipt, label, self-labeling and printing facility. It has a tare device with a 100 percent subtractive retained tare effect. The liquid crystal diode (LCD) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

Figure- 1 Model

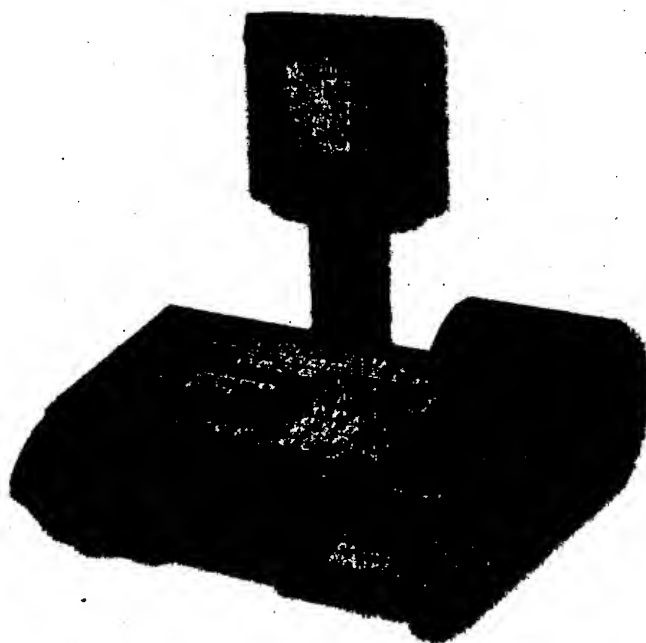


Figure-2 Sealing diagram of the sealing provision of the model

The sealing is done below the weight pan, where there are two holed screws, through which a leaded wire is fastened for receiving the verification seal and stamp. A typical schematic diagram of sealing provision of the model is given above.

further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

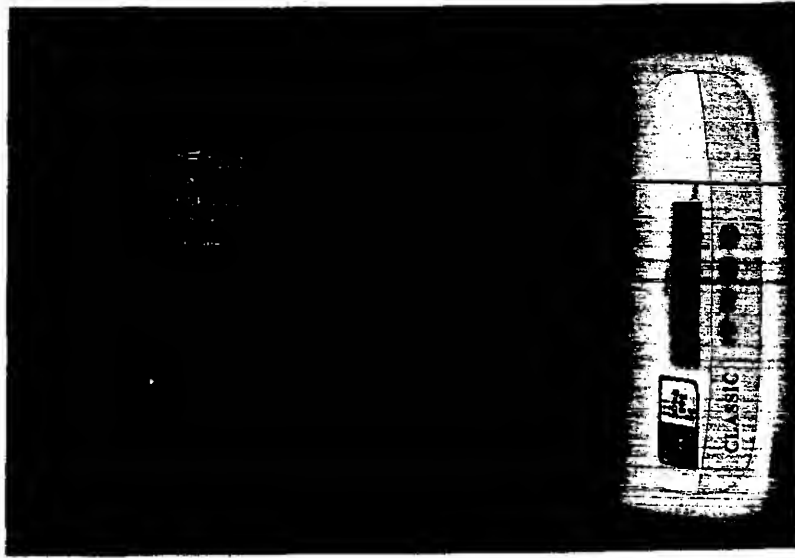
[F.No. WM-21(231)2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 1 अक्टूबर, 2009

का.आ. 2767.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स कृष्णा स्केल मार्केटिंग, 1 रामेश्वर एस्टेट नेशनल हाइवे 8 पर, होली चाइल्ड इंग्लिश स्कूल के पास, ठाक्करबापा नगर, अहमदाबाद द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "सी एल टी.11" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "क्लासिक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न जिसे अनुमोदन चिह्न आई एन डी/09/08/350 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।



उक्त मॉडल विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है कि न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदेश तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्केल की निचली प्लेट और ऊपरी कवर में दिए गए छेदों के जरिए सीलिंग की जाती है और तब इन छेदों के माध्यम से सीलिंग तार निकाली जाती है। स्टाम्पिंग के लिए स्टाम्पिंग प्लेट सील के साथ स्केल की बॉडी से निकाली गई सीलिंग तार से जोड़ा जाता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100गि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मानमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1x10के, 2x10के, 5x10के, के है, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा.सं. डब्ल्यू.एम.-21(267)/2008]

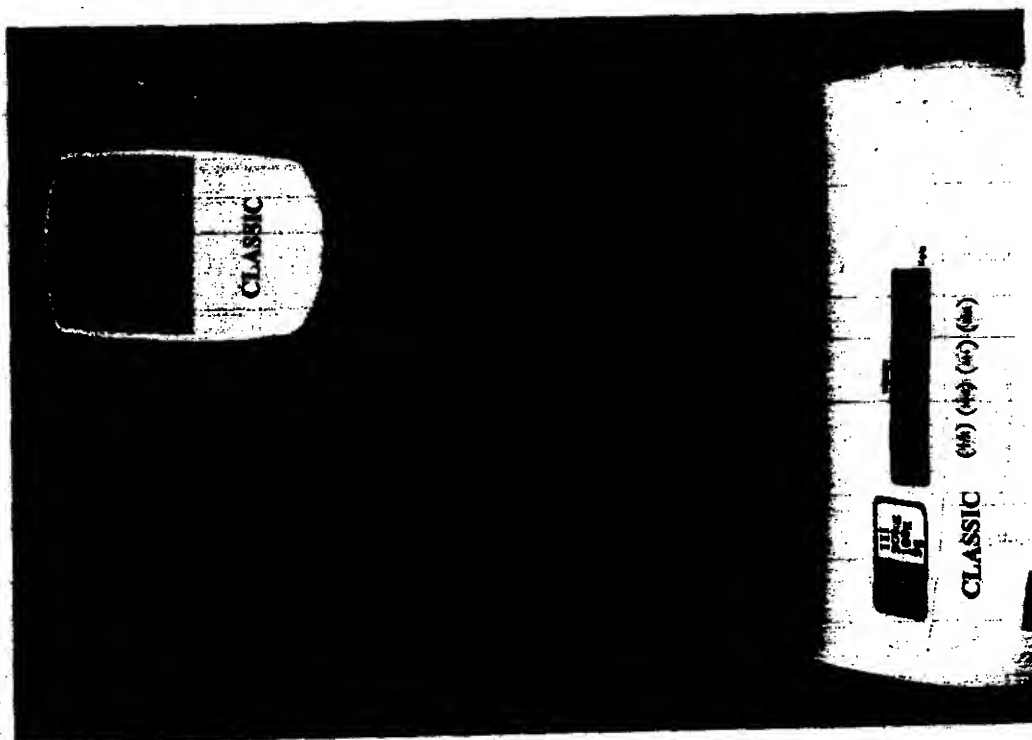
आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 1st October, 2009

S.O. 2767.— Whereas the Central Government after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weight and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over period of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top Type-) with digital indication of medium accuracy (Accuracy class-III) of series "CLT-11" and with brand name "CLASSIC" (hereinafter referred to as the said model), manufactured by M/s. Krishna Scale Marketing, 1, Rameshwar Estate, On N.H.No. 8 Nr. Holy Child English School, Thakkarbapa Nagar, Ahmedabad which is assigned the approval mark IND/09/08/350;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top-type-) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.



The sealing is done through the hole, made in the bottom plate and top cover of the scale, and then sealing wire is passed through these two hole. Stamping plate is connected through sealing wire passing from the body of scale with the lead seal, to get the stamping. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declare that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(267)/2008]

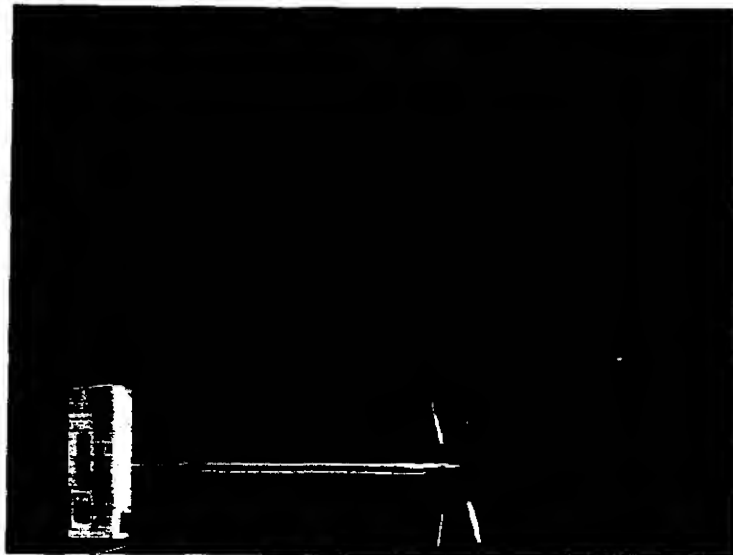
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 1 अक्टूबर, 2009

का.आ. 2768.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स कृष्णा स्केल मार्केटिंग, 1, रामेश्वर एस्टेट, नेशनल हाइवे 8 पर, होली चाइल्ड इंग्लिश स्कूल के पास, ठाक्करबापा नगर, अहमदाबाद द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "सी एल पी-6" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "क्लासिक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/351 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 500 कि.ग्रा. और न्यूनतम क्षमता 1 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्केल की निचली प्लेट और ऊपरी कवर में दिए गए छेदों के जरिए सीलिंग की जाती है और तब इन छेदों के माध्यम से सीलिंग तार निकाली जाती है। स्टाम्पिंग के लिए स्टाम्पिंग प्लेट सील के साथ स्केल की बॉडी से निकाली गई सीलिंग तार से जोड़ा जाता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^3$ ,  $2 \times 10^3$ ,  $5 \times 10^3$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (267)/2008]

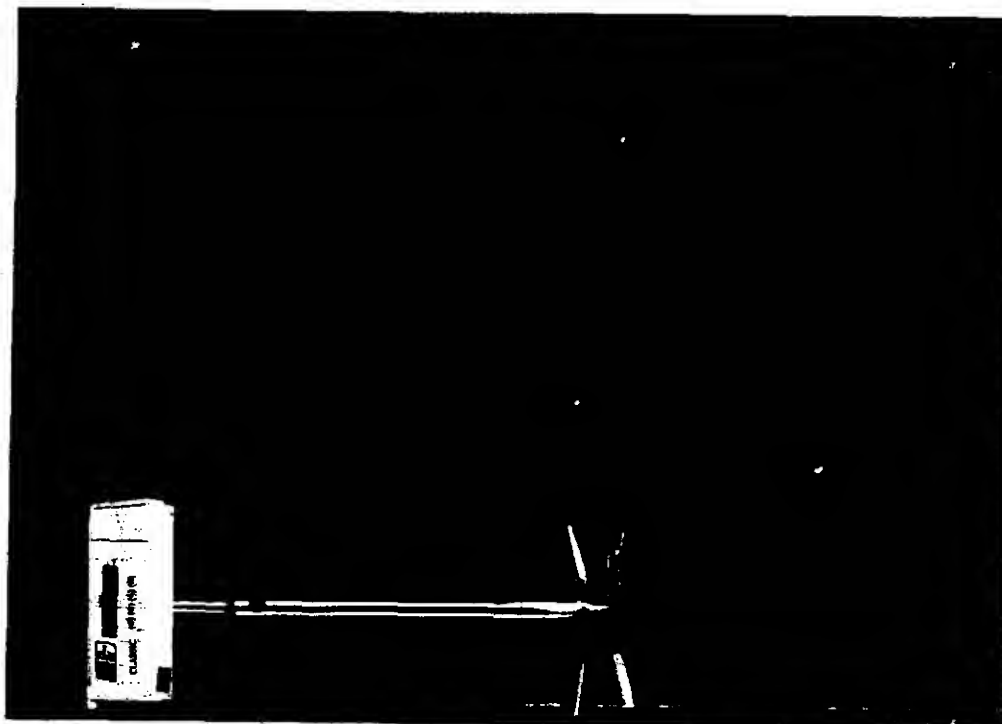
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 1st October, 2009

**S.O. 2768.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform Type) with digital indication of medium accuracy (Accuracy class-III) of series "CLP-6" and with brand name "CLASSIC" (hereinafter referred to as the said model), manufactured by M/s. Krishna Scale Marketing, 1, Remeshwar Estate, On N.H. No. 8 Nr. Holy Child English School, Thakkarbapa Nagar, Ahmedabad and which is assigned the approval mark IND/09/08/351;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 500 kg and minimum capacity of 1kg. The verification scale interval (e) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50-Hertz alternative current power supply.



The sealing is done through the hole, made in the bottom plate and top cover of the scale, and then sealing wire is passed through these two holes. Stamping plate is connected through sealing wire passing from the body of scale with the lead seal, to get the stamping. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and upto 5000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (267)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 1 अक्टूबर, 2009

का.आ. 2769.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एकता वेइंग सिस्टम, ए-4, आईएलए सोसायटी, जनपथ कम्प्लेक्स के पास, ठाकर बापा नगर रोड, इंडिया कालोनी, अहमदाबाद -382350 (गुजरात) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एकता" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेब्रिज टाइप) के मॉडल का, जिसके ब्रांड का नाम "एकता" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/204 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (वेब्रिज टाइप) है। इसकी अधिकतम क्षमता 30 टन है और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



तार स्केल की बाड़ी में से लीड सील के साथ इस तरफ निकाला गया है कि इंडीकेटर की बाड़ी पर दोनों तरफ तार द्वारा स्टायमिंग प्लेट पर सीलिंग प्लाइड लगाया गया है। तोलन मशीन को कपटपूर्ण व्यवहारों से रोकने के लिए सीलिंग की गई है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केंद्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 200 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (94)/2009]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

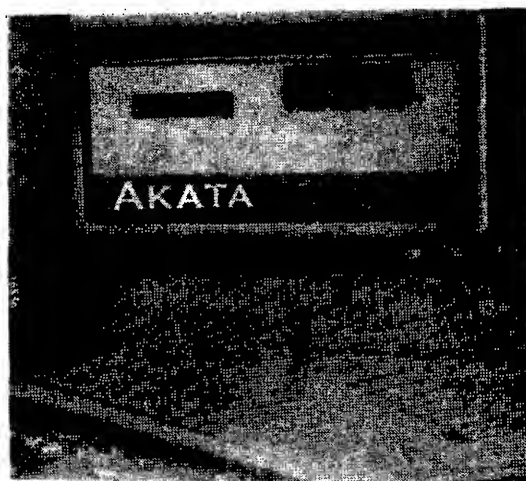


New Delhi, the 1st October, 2009

**S.O. 2769.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weigh bridge Type) with digital indication of medium accuracy (Accuracy class-III) of series "AKATA" and with brand name "AKATA" (hereinafter referred to as the said model), manufactured by M/s. Akata Weighing Systems, A-4 ILA Society, Nr Janpath Complex Thakkar Bapa Nagar Road, India Colony, Ahmedabad-382350 (Gujarat) and which is assigned the approval mark IND/09/09/204;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge Type) with a maximum capacity of 30 tonne and minimum capacity of 100kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50-Hertz alternative current power supply.



Sealing point is affixed on the stamping plate is fixed on both side body of the indicator with the wire, in such a way that the wire passing from the body of scale with the lead seal. Sealing shall done to prevent opening of the weighing machine for fraudulent practice. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (94)/2009]

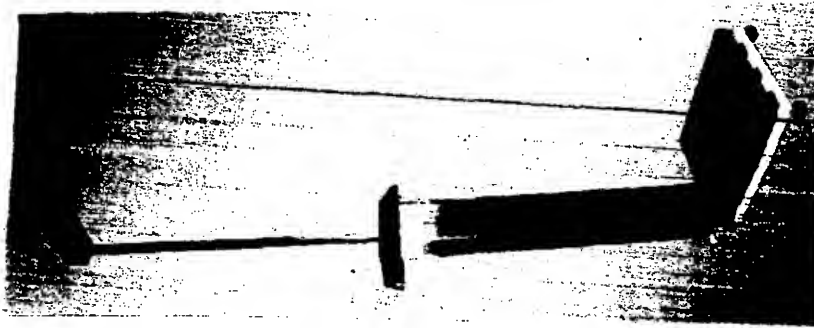
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 1 अक्टूबर, 2009

क्रा.आ.2770.—केन्द्रीय सरकार का, बिहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स साई हाई-टेक ज़ोडवैट, एस नं. 352, मांजरी (बीके), पुणे-412307 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "डीईडब्ल्यूएस-एचडब्ल्यूबी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक सिक्का प्रचालित व्यक्ति तोलन मशीन-बी एम आई सुविधा सहित टिकिट प्रिंटिंग या इसके बिना) के मॉडल का, जिसके ब्रांड का नाम "डाल्फिन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/321 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक सिक्का प्रचालित व्यक्ति तोलन मशीन-बी एम आई सुविधा सहित टिकिट प्रिंटिंग या इसके बिना) है। इसकी अधिकतम क्षमता 200 कि.ग्रा. है और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एल सी डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



उपकरण के इंडीकेटर के ऊपरी कवर के अंदर वेल्ड किए गए स्टडों में छेद करके सीलिंग की जा सकती है, तब इन स्टडों के माध्यम से एक सील तार ले जाया जाता है और एक लीड की सील लगाई जाती है। सील को तोड़े बिना उपकरण को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 100 कि.ग्रा. से 200 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$ ,  $5 \times 10^*$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (253)/2008]

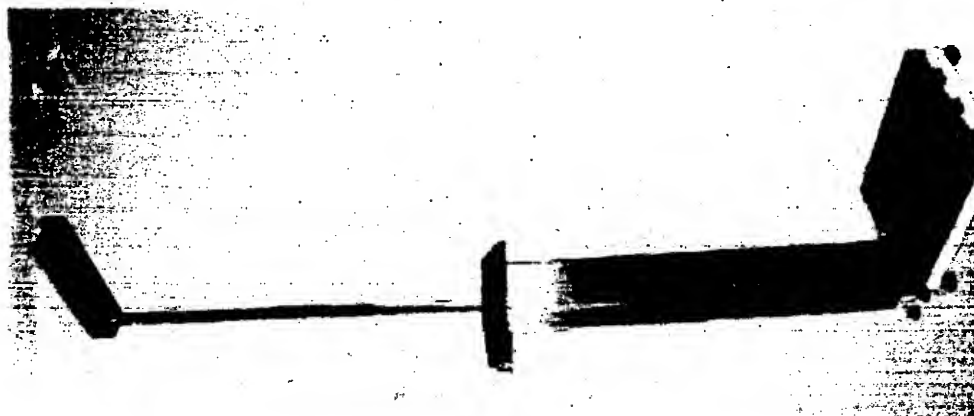
आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 1st October, 2009

**S.O. 2770.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Electronic Coin operated Person Weighing Machine with or without ticket printing and "BMI" facility) with digital indication of medium accuracy (Accuracy class-III) of series "DEWS-HWB" and with brand name "DOLPHIN" (hereinafter referred to as the said model), manufactured by M/s. Sai Hi-Tech Product, S. No. 352, Manjari (BK), Pune-412307 and which is assigned the approval mark IND/09/08/321;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Electronic Coin operated Person Weighing Machine with or without ticket printing and "BMI" facility) with a maximum capacity of 200kg and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. Liquid Crystal Diode Display (LCD) display indicates the weighing results. The instrument operates on 230 Volts and 50-Hertz alternative current power supply.



Sealing can be done by making holes in the studs welded inside the top cover of the indicator of the instrument, then a seal wire is passed through these studs and a lead seal is applied. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity in the range of 100 kg to 200 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (253)/2008]

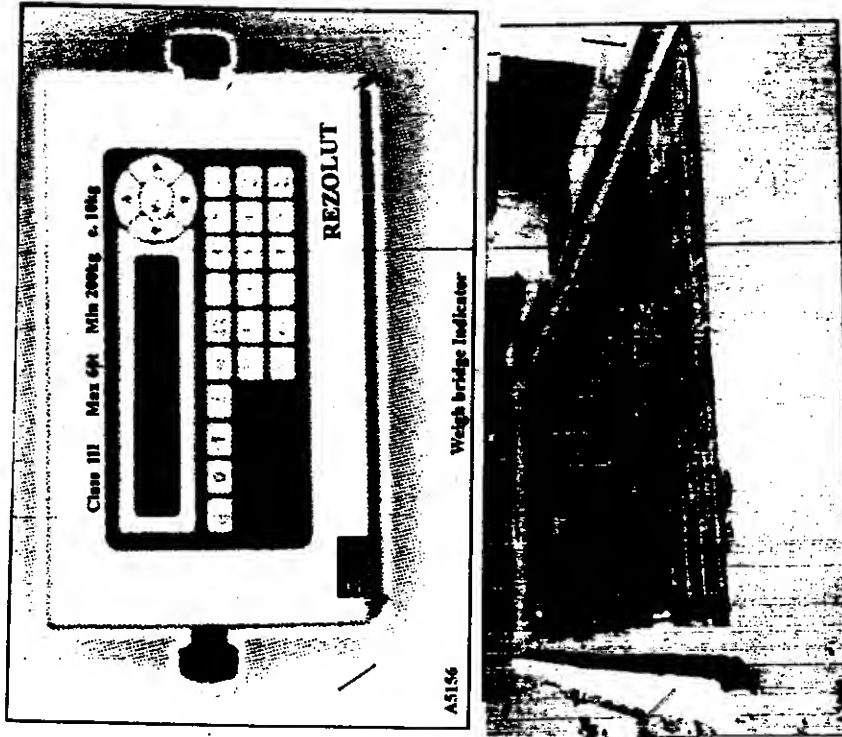
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 1 अक्टूबर, 2009

का.आ. 2771.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स रिजोल्ट व्हेमेशन प्रा. लि., ए-1-2, बेसमेंट सुवर्धा फ्लेट को-ओप. हाउसिंग सोसायटी लि., पोस्ट आफिस के पीछे, जैन डेरासर लेन के निकट, नवरंगपुरा, अहमदाबाद-380009, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "आर टी एम-6" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वेब्रिज टाइप) के मॉडल का, जिसके ब्रांड का नाम "रिजोल्ट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/604 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (वेब्रिज टाइप) है। इसकी अधिकतम क्षमता 60 टन है और न्यूनतम क्षमता 200 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



सीलिंग प्वाइंट स्टाम्पिंग प्लेट पर लगाया गया है जो इंडिकेटर की बाड़ी के बाईं तरफ तार से इस तरह से लगाया गया है कि लीड सील के साथ स्केल की बाड़ी से तार निकाली जाए। मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए सीलबंद किया जाएगा। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिसे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 250 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^3$ ,  $2 \times 10^3$ ,  $5 \times 10^3$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (237)/2008]

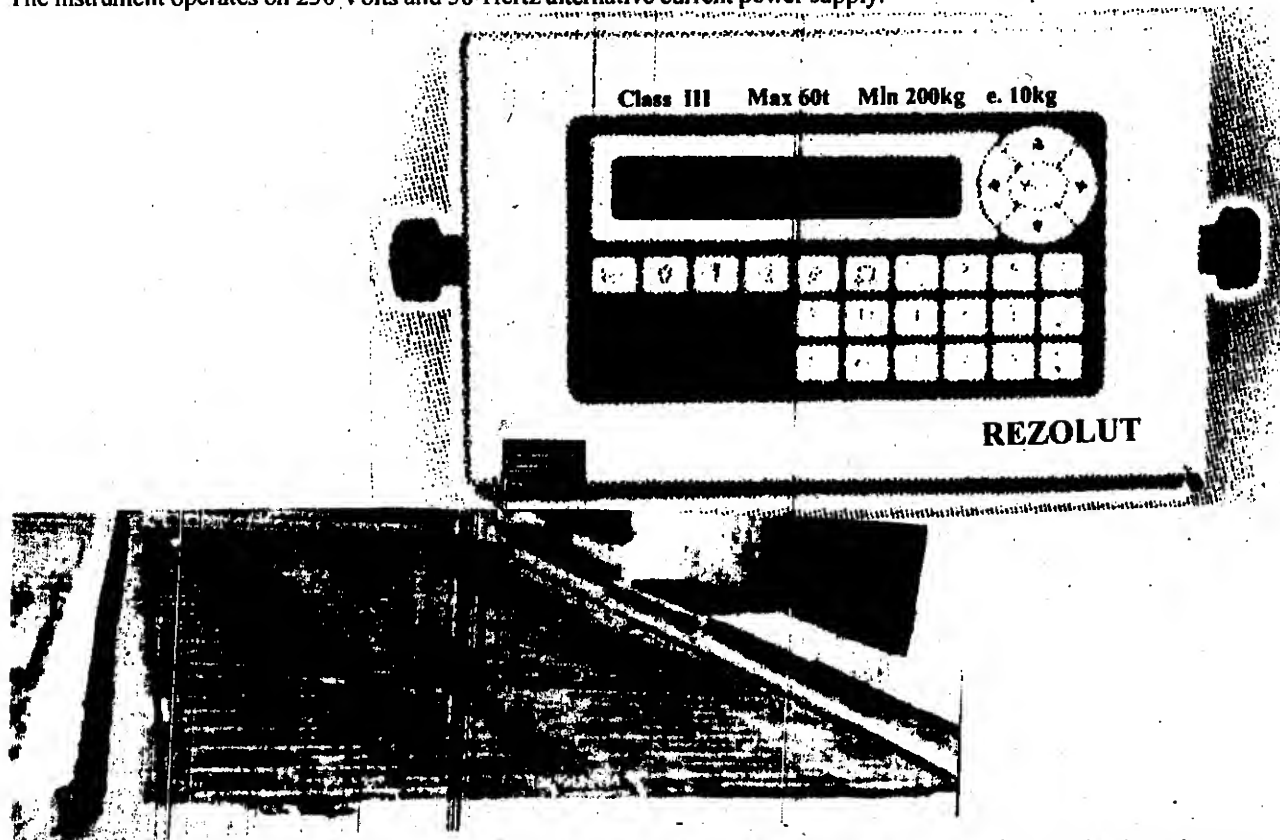
आर. माधुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 1st October, 2009

**S.O. 2771.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge Type) with digital indication of medium accuracy (Accuracy class-III) of series "RTM-6" and with brand name "REZOLUT" (hereinafter referred to as the said model), manufactured by M/s. Rezolut Weighmaton Pvt. Ltd., A-1-2, Basement, Suvrdha Flats Co.Op. Housing Society Ltd., B/h Post Office, Nr. Jain Derasar Lane, Navrangpura Ahmedabad- 380009, Gujarat and which is assigned the approval mark IND/09/06/604;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge Type) with a maximum capacity of 60 tonne and minimum capacity of 200kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50-Hertz alternative current power supply.



Sealing point is affixed on the stamping plate is fixed on left side body of the indicator with the wire, in such a way that the wire passing from the body of scale with the lead seal. Sealing shall done to prevent opening of the weighing machine for fraudulent practice. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 250 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (237)/2008]

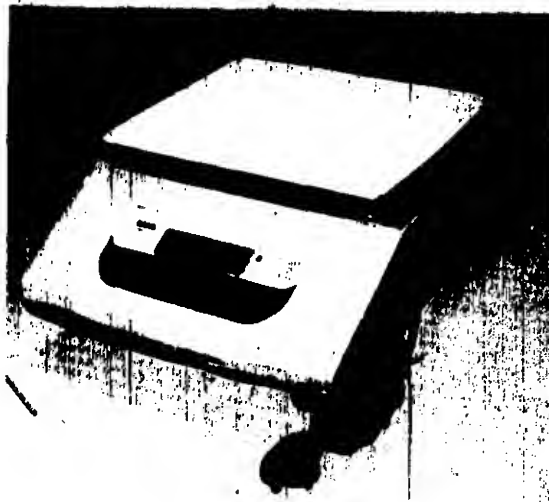
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 1 अक्टूबर, 2009

का.आ. 2772.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स राणा इलेक्ट्रॉनिक सिस्टम, एम-67, श्याम पार्क, नवादा उत्तम नगर, नई दिल्ली-110059 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "आर ई" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "राणा" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/590 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 20 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। स्थापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



सर्किट और मैकेनिकल असेंबली की सुरक्षा तथा उसे कपटपूर्ण व्यवहारों से रोकने के लिए स्टाम्पिंग प्लेट पर लीड सील को लगाया जाता है। उपकरण की बाड़ी पर दिए गए छेदों के माध्यम से लीड और सील तार लगाकर सीलिंग की जा सकती है। उपकरण को सील के छेदों के बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक की रेंज में स्थापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में स्थापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$ ,  $5 \times 10^{-6}$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (230)/2008]

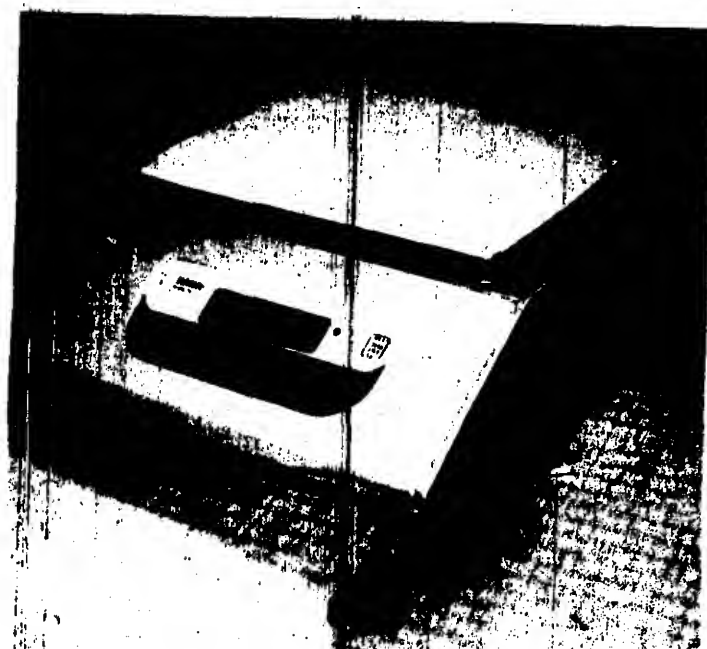
आर. माधुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 1st October, 2009

**S.O. 2772.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy class-II) of series "RET" and with brand name "RANA" (hereinafter referred to as the said model), manufactured by M/s. Rana Electronic System, M-67, Shyam Park, Nawada, Uttam Nagar, New Delhi-110059 which is assigned the approval mark IND/09/08/590;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop Type) with a maximum capacity of 20Kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternative current power supply.



Lead seal is affixed on the stamping plate for the security of circuit and mechanical assembly to avoid fraudulent use. Sealing can be done by applying lead & seal wire through the hole provided on the body of the instrument. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg to 50 mg and with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (230)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

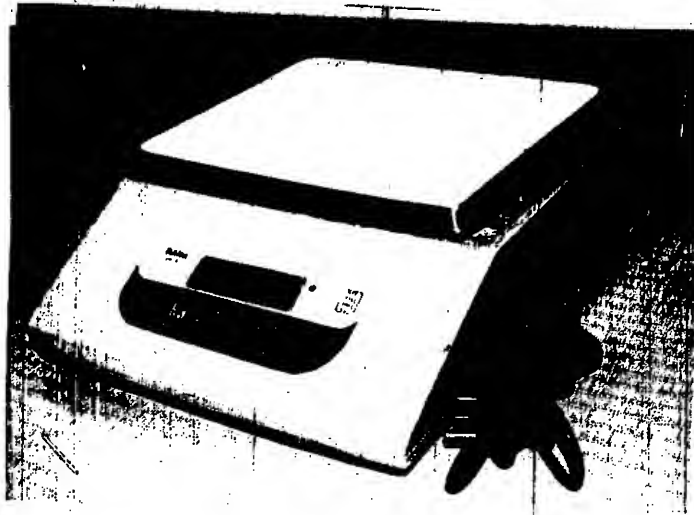


नई दिल्ली, 1 अक्टूबर, 2009

का.आ. 2773.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स राणा इलेक्ट्रॉनिक सिस्टम, एम-67, श्याम पार्क नवादा उत्तम नगर, नई दिल्ली-110059 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "आर एस टी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) के माडल का, जिसके ब्रांड का नाम "राणा" है (जिसे इसमें इसके पश्चात् उक्त माडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/591 सम्पुर्णतः किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त माडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप प्रकार) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्प और सीलिंग के सत्यापन के लिए इंडीकेटर के किसी भी तरफ आउटर और इनर कवर काट कर दो छेद किए गए हैं और इन दोनों छेदों को लीड और वायर से कसा गया है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। माडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त माडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित माडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^{-3}$ ,  $2 \times 10^{-3}$ ,  $5 \times 10^{-3}$  के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू. एम-21 (230)/2008]

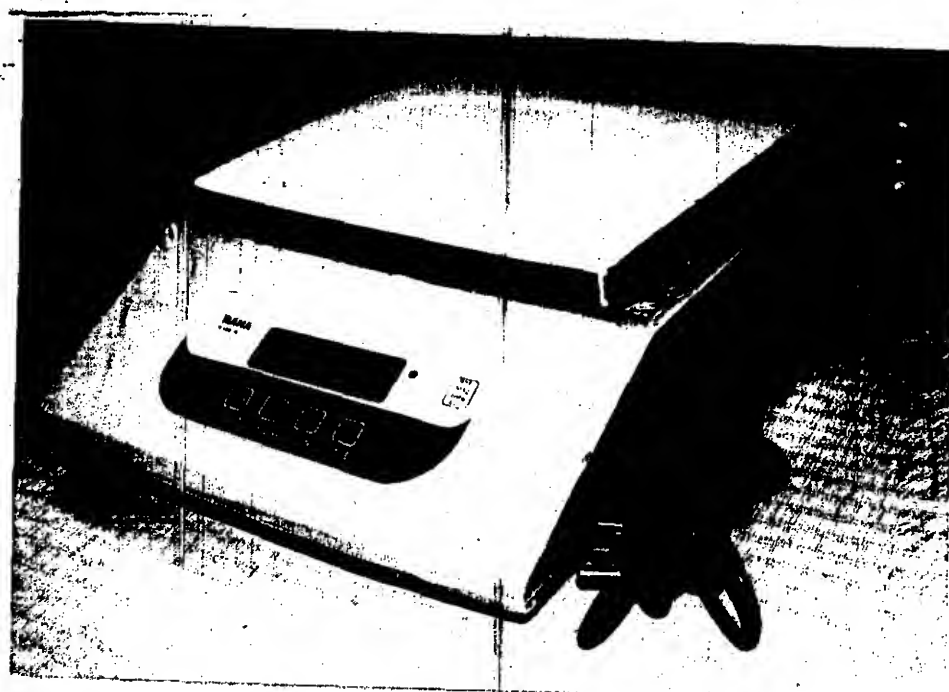
आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान



New Delhi, the 1st October, 2009

**S.O. 2773.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of medium accuracy (Accuracy class-III) of series "RST-" and with brand name "RANA" (hereinafter referred to as the said model), manufactured by M/s. Rana Electronic System, M-67, Shyam Park, Nawada, Uttam Nagar, New Delhi- 110059 which is assigned the approval mark IND/09/08/591;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop Type) with a maximum capacity of 30Kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50-Hertz alternative current power supply.

By the either side of the weighing scale two holes are made by cutting the outer and inner cover and fastened by the lead and wire through these two holes for receiving the verification stamp and seal. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (230)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 1 अक्टूबर, 2009

का.आ. 2774.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स राणा इलेक्ट्रॉनिक सिस्टम, एम-67, श्याम पार्क, नवादा, उत्तम नगर, नई दिल्ली-110059 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "आर ई पी" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "राणा" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/592 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 300 कि. ग्रा. है और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम इपदेशित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्प और सीलिंग के सत्यापन के लिए इंडीकेटर के दायीं तरफ कवर और तल प्लेट में काट कर दो छेद किए गए हैं और इन दोनों छेदों को लीड वायर से कसा गया है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केंद्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान  $1 \times 10^3$ ,  $2 \times 10^3$ ,  $5 \times 10^3$ , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू. एम-21 (230)/2008]

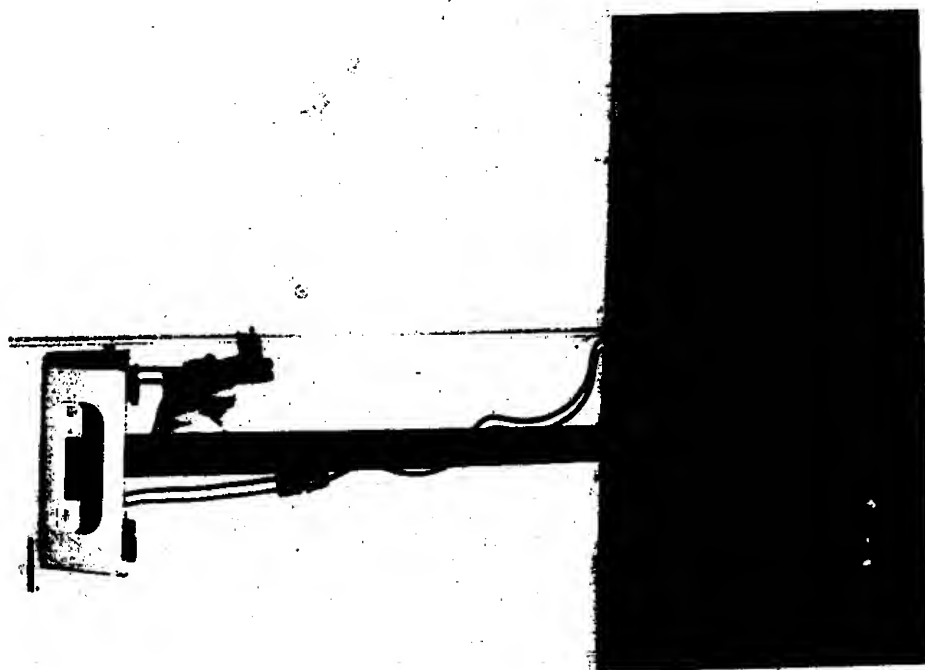
आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 1st October, 2009

**S.O. 2774.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "REP-" and with brand name "RANA" (hereinafter referred to as the said model), manufactured by M/s. Rana Electronic System, M-67, Shyam Park, Nawadna, Uttam Nagar, New Delhi- 110059 which is assigned the approval mark IND/09/08/592;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 300kg and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50-Hertz alternate current power supply.



From the right side of the indicator two holes are made by cutting the upper cover and bottom plate and fastened the lead and wire through these two holes for receiving the verification stamp and seal. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg up to 5000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

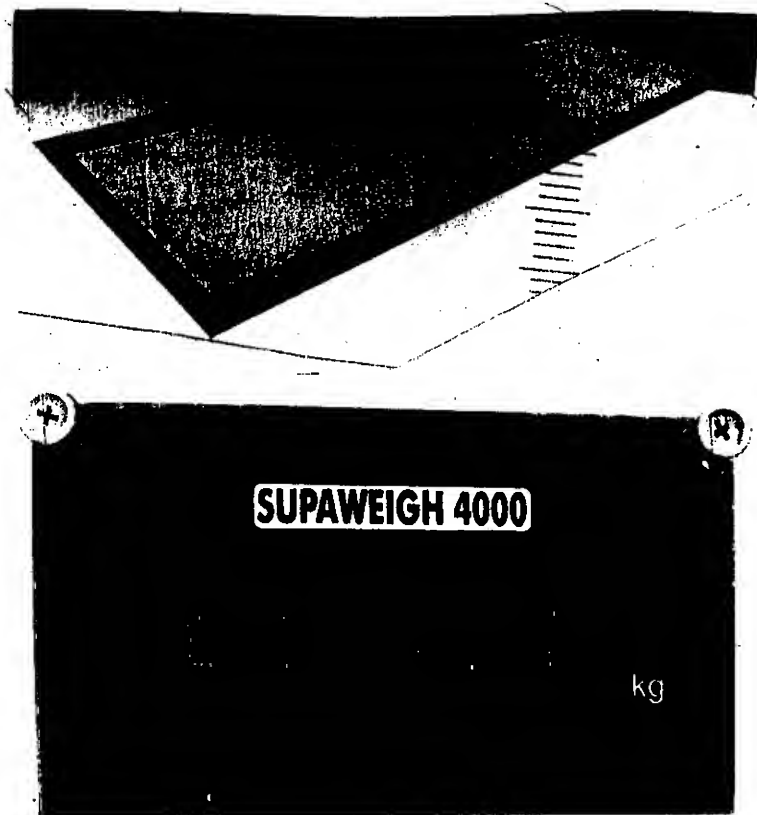
[F. No. WM-21 (230)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 1 अक्तूबर, 2009

का.आ. 2775.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स सेंट्रल वेइंग लि., यूनिट 142, हर्टलेबूरी ट्रेडिंग एस्टेट, किडरमिनस्टर, वर्कस्टरशायर, डीवाई 10 4जेबी, यूनाइटेड किंगडम द्वारा विनिर्मित (यथार्थता वर्ग 1) वाले "सुपावे 3000 और 4000" शृंखला के अंकक सूचन सहित, स्वचालित तोलन उपकरण वेइंग रोड व्हीकल इन मोशन के मॉडल का, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स एसबी सिस्टम्स प्रा. लि., सी-64, ओखला इंडस्ट्रियल एरिया, फेज-1, नई दिल्ली-110020 द्वारा भारत में बिक्री से पूर्व अथवा बाद में बिना किसी परिवर्तन के विपणीत किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/08/398 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।



उपकरण की सीलिंग और इलेक्ट्रॉनिक सर्किट की सुरक्षा के लिए बेइंग डिस्प्ले पर दो सील लगाई जाती हैं। मॉडल की सीलिंग के लिए एक योजनाबद्ध डायग्राम ऊपर दिया गया है।

उक्त मॉडल एक भार सेल आधारित वेइंग रोड व्हीकल इन मोशन के लिए अंकक सूचन सहित स्वचालित तोलन उपकरण है जिसकी अधिकतम क्षमता  $\leq 60,000$  कि.ग्रा. और न्यूनतम क्षमता  $\leq 1500$  कि.ग्रा. है। सत्यापन मापमान अंतराल (डी)  $\geq 10$  कि.ग्रा. है। मापमान अंतराल संख्या  $\leq 3000$  है और अधिकतम स्पीड  $\leq 5$  कि.मी./घंटा है। एक्सल की अधिकतम संख्या  $\leq 6$  है और धात्रा की दिशा सिंगल दिशा है परिचालन तापमान  $-10^\circ$  से  $+40^\circ$  से और विद्युत प्रदाय 220-240 वोल्ट एसी 50-60 हर्ट्ज बारंबारता का है।

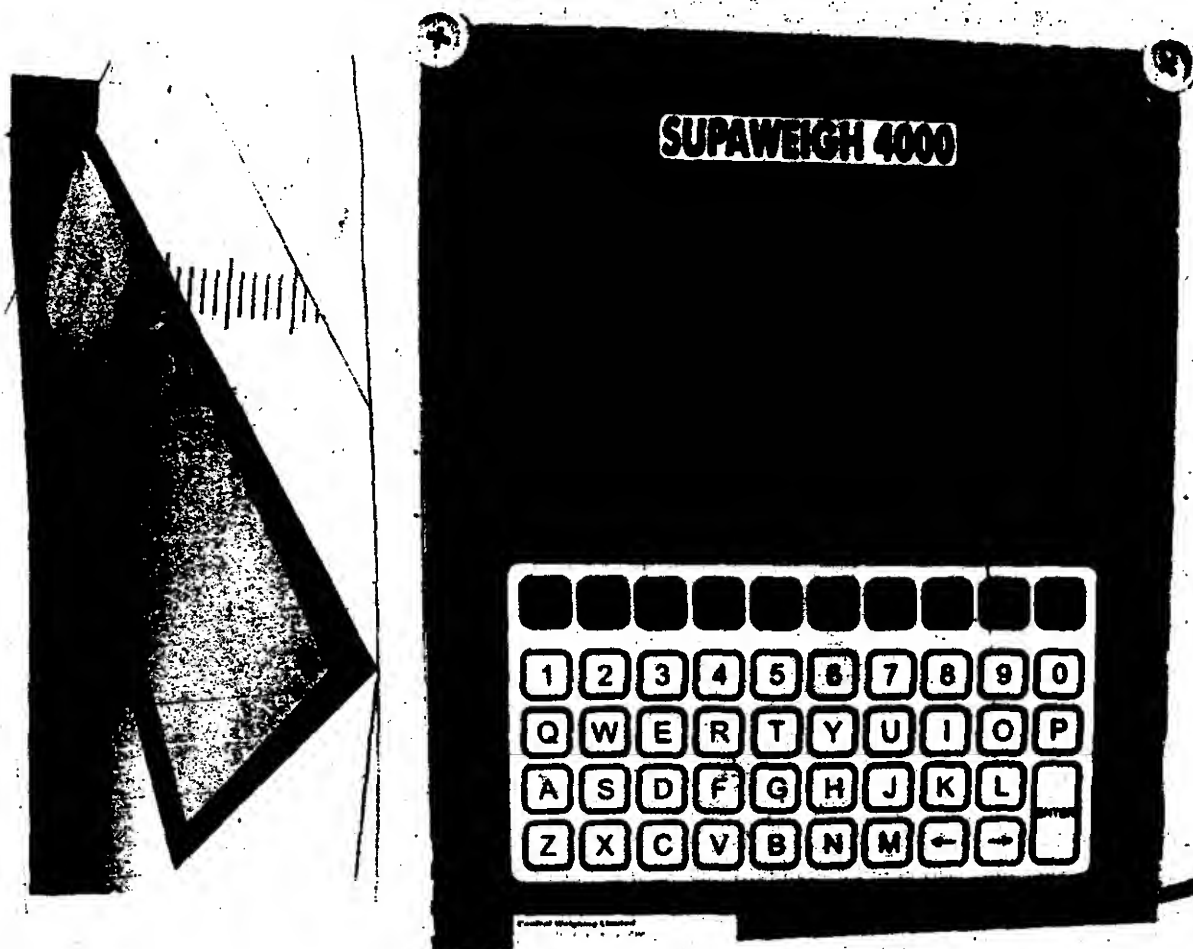
[फा. सं. डब्ल्यू. एम-21 (127)/2008]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 1st October, 2009

**S.O. 2775.**—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of automatic weighing instrument for weighing road vehicles in motion with digital indication of (Accuracy class-I) of series "Supaweigh 3000 and 4000" (hereinafter referred to as the said model), manufactured by M/s. Central Weighing Limited, Unit 142, Hartlebury Trading Estate, Kidderminster, Worcestershire, DY 10 4JB, United Kingdom and marketed in India without any alteration before or after sale by M/s. Ashbee Systems Pvt. Ltd., C-64 Okhla Industrial Area, Phase-I, New Delhi-110020 and which is assigned the approval mark IND/09/08/398;



For sealing the instrument two seals are applied at the display of the weighing instrument for safety of electronic circuit. A typical schematic diagram of sealing provision of the model is given above.

The said model is a load cell based automatic weighing instrument for weighing road vehicles in motion with digital indication with a maximum capacity  $\leq 60,000\text{kg}$  and minimum capacity of  $\geq 1500\text{kg}$ . The scale interval (d) is  $\geq 10\text{ kg}$ . The number of scale intervals is  $\leq 3000$  and maximum speed  $\leq 5\text{km/hr}$ . The maximum numbers of axles are  $\leq 6$  and direction of travel is single direction. The operating temperature is  $-10^\circ\text{C}$  to  $+40^\circ\text{C}$  and power supply is 220-240 V AC having 50/60 Hz frequency.

[F.No. WM-21 (127)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अक्टूबर, 2009

का.आ. 2776.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स अपलैब लिमिटेड, यूनिट III, प्लॉट नं. 12, डिघा विलेज, टीटीसी इंडस्ट्रीयल एरिया, थाने, बेलापुर रोड, नवी मुंबई-400708 महाराष्ट्र द्वारा विनिर्मित "स्वदेस-1-21221-7" शृंखला के अंकक सूचन सहित, इलेक्ट्रॉनिक डिस्प्लेसिंग पम्प (स्टैंडर्ड इयूटी पम्प) के मॉडल का, जिसके ब्रांड का नाम "स्वदेस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/301 समनुदेशित किया गया है,



**MAKE - APLAB LIMITED**  
**MODEL NO. - SWADES I - 21221 - 7**

थ्रेडिड वायर और सील से सीलिंग की जाती है। मीटरिंग यूनिट के स्कू छेद में से वायर निकाल कर और वायर के अंतिम में मीटर को सील और स्टम्प किया जाता है। सील को तोड़े बिना उपकरण को खोला नहीं जा सकता। मॉडल की सीलिंग व्यवस्था का स्कीमवार डायग्राम ऊपर दिया गया है।

उक्त मॉडल एक इलेक्ट्रॉनिक डिस्प्लेसिंग पम्प है जिसमें सिंगल नोजल के साथ पाजिटिव डिस्प्लेसमेंट मीटर और नॉन रिवरसिबल इलेक्ट्रॉनिक टोटलाइजर है। इसकी क्षमता के लिए अधिकतम प्रदर्श 7 अंकों तक है, रुपए में विक्रय दर के लिए प्रदर्श 7 अंकों में है और दर प्रति लिटर 5 अंकों में है। न्यूनतम प्रभाग 10 मि. लि. है। इसके अतिरिक्त मॉडल में डेंसिटी प्रदर्श (स्टेटिक) 4 अंकों में और संचार आदि के लिए संचार पोर्ट के साथ बाहरी उपाय और हार्डवेयर के लिए आटोमेशन सुविधा है। उपकरण 220 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। अधिकतम प्रवाह दर 40 लिटर प्रति मिनट है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण इलेक्ट्रॉनिक केलिब्रेशन सुविधा सहित या मेकेनिकल केलिब्रेशन सुविधा रहित है।

[फा. सं. डब्ल्यू एम-21 (99)/2008]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th October, 2009

S.O. 2776.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of electronic Dispensing pump (Standard duty pump) with digital indication with 'SWADES-1-21221-7' series and brand name "SWADES" (hereinafter referred to as the said Model), manufactured by M/s. APLAB Limited, Unit III, Plot No. 12, Digha Village, TTC Industrial Area, Thane, Belapur Road, Navi Mumbai-400708, Maharashtra and which is assigned the approval mark IND/09/09/301;



**MAKE - APLAB LIMITED**  
**MODEL NO. - SWADES I - 21221 - 7**

The seal is done by threaded wire and seal. The wire is passed through the screw holds in the metering unit and at the end of the wire, meter is sealed and stamped. The instrument cannot be opened without breaking the seal. A typical schematic diagram of sealing provision of the model is given above.

The said model is an electronic dispensing pump and consists of positive displacement meter with single nozzle and non-reversible electronic totalizer. Its maximum display for volume upto 7 digits, display for sale value in rupees is of 7 digits and rate per litre is of 5 digits. The smallest division is 10ml. Further the model is having facility for the density display (static) in 4 digits and with communication port for communicating to the external devices and hardware for automation etc. It operates on 220V, 50Hertz alternate current power supply. The maximum flow rate is 40 litre per minute. The results are indicated by the Liquid Crystal Diode (LCD) display. The instrument also has the facility of electronic calibration with or without mechanical calibration.

[F.No. WM-21 (99)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अक्टूबर, 2009

का.आ. 2777.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मेसर्स अप्लैब लिमिटेड, यूनिट III, प्लॉट नं. 12, डिग्मा विलेज, टीटीसी इंडस्ट्रीयल एरिया, थाने, बेलपुर रोड, नवी मुंबई-400708 महाराष्ट्र द्वारा विनिर्मित "स्वादेस-1-21222-7" प्रकार के अंकक सूचन सहित इलेक्ट्रॉनिक डिस्प्लेसिंग पम्प (हेवी ड्यूटी पम्प) के मॉडल का, जिसके ब्रांड का नाम "स्वादेस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/302 समनुदेशित किया गया है,



**MAKE - APLAB LIMITED**  
**MODEL NO. - SWADES I - 21222 - 7**

ग्रेडिड वायर और सील से सीलिंग की जाती है। मीटरिंग यूनिट के स्कू छेद में से वायर निकाल कर और वायर के अंतिम में मीटर को सील और स्टम्प किया जाता है। सील को तोड़ने बिना उपकरण को खोला नहीं जा सकता। मॉडल की सीलिंग व्यवस्था का स्कीमवार डायग्राम ऊपर दिया गया है।

उक्त मॉडल एक इलेक्ट्रॉनिक डिस्प्लेसिंग पम्प है जिसमें सिंगल नोजल के साथ पाजिटिव डिस्प्लेसमेंट मीटर और नॉन रिवरसिबल इलेक्ट्रॉनिक टोटलाइजर है। इसकी क्षमता के लिए अधिकतम प्रदर्श 7 अंकों तक है, रुपए में विक्रय दर के लिए प्रदर्श 7 अंकों में है और दर प्रति लिटर 5 अंकों में है। न्यूनतम प्रमाण 10 मि. लि. है। इसके अतिरिक्त मॉडल में डेंसिटी प्रदर्श (स्टेटिक) 4 अंकों में और संचार आदि के लिए संचार पोर्ट के साथ बाहरी ठपाव और सॉल्वेयर के लिए आटोमेशन सुविधा है। उपकरण 220 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। अधिकतम प्रवाह दर 70 लिटर प्रति मिनट है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण इलेक्ट्रॉनिक केलिब्रेशन सुविधा सहित या मेकैनीकल केलिब्रेशन सुविधा रहित है।

[फा. सं. डब्ल्यू एम-21 (99)/2008]

आर. माधुरबोधम, निदेशक, विधिक माप विज्ञान



New Delhi, the 5th October, 2009

**S.O. 2777.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of electronic Dispensing pump (Heavy duty pump) with digital indication with 'SWADES-1-21222-7' series and brand name "SWADES" (herein referred to as the said Model), manufactured by M/s. Aplab Limited, Unit III, Plot No. 12, Digha Village, TTC Industrial Area, Thane, Belapur Road, Navi Mumbai-400708, Maharashtra and which is assigned the approval mark IND/09/08/302;



**MAKE - APLAB LIMITED**  
**MODEL NO. - SWADES I - 21222 - 7**

The seal is done by threaded wire and seal. The wire is passed through the screw holes in the metering unit and at the end of the wire, meter is sealed and stamped. The instrument cannot be opened without breaking the seal. A typical schematic diagram of sealing provision of the model is given above.

The said model is an electronic dispensing pump and consists of positive displacement meter with single nozzle and non reversible electronic totalizer. Its maximum display for volume upto 7 digits, display for sale value in rupees is of 7 digits and rate per litre is of 5 digits. The smallest division is 10ml. Further the model is having facility for the density display (static) in 4 digits and with communication port for communicating to the external devices and hardware for automatic etc. It operates on 220V, 50Hertz alternate current power supply. The maximum flow rate is 70 liter per minute. The results are indicated by the Liquid Crystal Diode (LCD) display. The instrument also has the facility of electronic calibration with or without mechanical calibration.

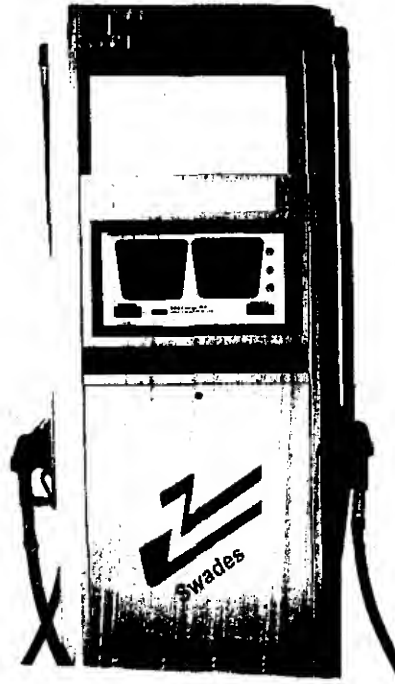
[F. No. WM-21 (99)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अक्टूबर, 2009

का.आ. 2778.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स अपलैब लिमिटेड, यूनिट III, प्लॉट नं. 12, डिघा विलेज, टीटीसी इंडस्ट्रीयल एरिया, थाने, बेलापुर रोड, नवी मुंबई-400708 महाराष्ट्र द्वारा विनिर्मित “स्वदेस-II-22423-7” शृंखला के अंकक सूचन सहित इलेक्ट्रॉनिक डिस्पेंसिंग पम्प (स्टैंडर्ड इयूटी डुअल पम्प) के मॉडल का, जिसके ब्रांड का नाम “स्वदेस” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/303 समनुदेशित किया गया है,



थ्रेडिड वायर और सील से सीलिंग की जाती है। मीटरिंग यूनिट के स्कू छेद में से वायर निकाल कर और वायर के अंतिम में मीटर को सील और स्टम्प किया जाता है। सील को तोड़े बिना उपकरण को खोला नहीं जा सकता। मॉडल की सीलिंग व्यवस्था का स्कीमवार डायग्राम ऊपर दिया गया है।

उक्त माडल एक इलेक्ट्रॉनिक डिस्पेंसिंग पम्प है जिसमें डुअल नोजल के साथ पाजिटिव डिस्पलेसमेंट मीटर और नॉन रिवरसिबल इलेक्ट्रॉनिक टोटलाइजर है। इसकी क्षमता के लिए अधिकतम प्रदर्श 7 अंकों तक है, रुपए में विक्रय दर के लिए प्रदर्श 7 अंकों में है और दर प्रति लीटर 5 अंकों में है। न्यूनतम प्रभाग 10 मि. लि. है। इसके अतिरिक्त माडल में डेंसिटी प्रदर्श (स्टैटिक) 4 अंकों में और संचार आदि के लिए संचार पोर्ट के साथ बाहरी उपाय और हार्डवेयर के लिए आटोमेशन सुविधा है। उपकरण 220 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। अधिकतम प्रवाह दर 40 लीटर प्रति मिनट है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण इलेक्ट्रॉनिक केलिब्रेशन सुविधा सहित या मेकेनिकल केलिब्रेशन सुविधा रहित है।

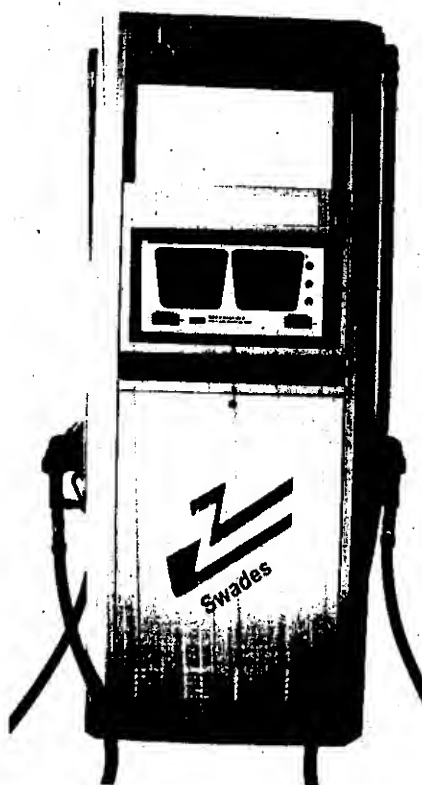
[फा. सं. डब्ल्यूएम-21 (99)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th October, 2009

**S.O. 2778.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of electronic Dispensing pump (Standard duty dual pump) with digital indication with 'SWADES-II-22423-7' series and brand name "SWADES" (hereinafter referred to as the said Model), manufactured by M/s.Aplab Limited, Unit III, Plot No.12, Digha Village, TTC Industrial Area, Thane, Belapur Road, Navi Mumbai-400708, Maharashtra and which is assigned the approval mark IND/09/08/303;



**MAKE - APLAB LIMITED**  
**MODEL NO. - SWADES II - 22423 - 7**

The seal is done by threaded wire and seal. The wire is passed through the screw holds in the metering unit and at the end of the wire, meter is sealed and stamped. The instrument cannot be opened without breaking the seal. A typical schematic diagram of sealing provision of the model is given above.

The said model is an electronic dispensing pump and consists of positive displacement meter with dual nozzle and non reversible electronic totalizer. Its maximum display for volume is upto 7 digits, display for sale value in rupees is of 7 digits and rate per litre is of 5 digits. The smallest division is 10ml. Further the model is having facility for the density display (static) in 4 digits and with communication port for communicating to the external devices and hardware for automation etc. It operates on 220V, 50 Hertz alternate current power supply. The maximum flow rate is 40 liter per minute. The results are indicated by the Liquid Crystal Diode (LCD) display. The instrument also has the facility of electronic calibration with or without mechanical calibration.

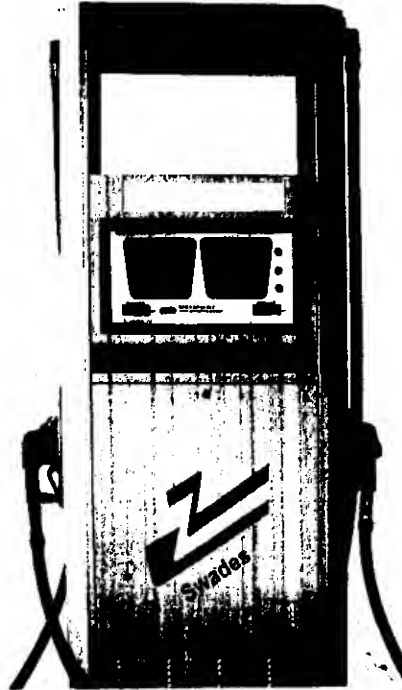
[F. No. WM-21 (99)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अक्टूबर, 2009

का.आ. 2779.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स अपलैब लिमिटेड, यूनिट III, प्लॉट नं. 12, डिघा विलेज, टीटीसी इंडस्ट्रीयल एरिया, थाने, बेलापुर रोड, नवी मुंबई-400708 महाराष्ट्र द्वारा विनिर्मित "स्वदेस-II-22424-7" शृंखला के अंकक सूचन सहित इलेक्ट्रॉनिक डिस्पेंसिंग पम्प (हैवी ड्यूटी डुअल पम्प) के मॉडल का, जिसके ब्रांड का नाम "स्वदेस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/304 समनुदेशित किया गया है,



थ्रेडिड वायर और सील से सीलिंग की जाती है। मीटरिंग यूनिट के स्कू छेद में से वायर निकाल कर और वायर के अंतिम में मीटर को सील और स्टम्प किया जाता है। सील को तोड़ें बिना उपकरण को खोला नहीं जा सकता। मॉडल की सीलिंग व्यवस्था का स्कीमवार डायग्राम ऊपर दिया गया है।

उक्त मॉडल एक इलेक्ट्रॉनिक डिस्पेंसिंग पम्प है जिसमें डुअल नोजल के साथ पाजिटिव डिस्पलेसमेंट मीटर और नॉन रिवरसिबल इलेक्ट्रॉनिक टोटलाइजर है। इसकी क्षमता के लिए अधिकतम प्रदर्श 7 अंकों तक है, रुपए में विक्रय दर के लिए प्रदर्श 7 अंकों में है और दर प्रति लिटर 5 अंकों में है। न्यूनतम प्रभाग 10 मि. लि. है। इसके अतिरिक्त मॉडल में डेंसिटी प्रदर्श (स्टैटिक) 4 अंकों में और संचार आदि के लिए संचार पोर्ट के साथ बाहरी उपाय और हार्डवेयर के लिए आटोमेशन सुविधा है। उपकरण 220 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। अधिकतम प्रवाह दर 70 लिटर प्रति मिनट है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण इलेक्ट्रॉनिक केलिब्रेशन सुविधा सहित या मेकेनिकल केलिब्रेशन सुविधा रहित है।

[फा. सं. डब्ल्यू एम-21 (99)/2008]

आर. माधुरबुधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th October, 2009

S.O. 2779.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of electronic Dispensing pump (Heavy duty dual pump) with digital indication with 'SWADES-II-22424-7' series and brand name "SWADES" (hereinafter referred to as the said Model), manufactured by M/s. APLAB Limited, Unit III, Plot No. 12, Digha Village, TTC Industrial Area, Thane, Belapur Road, Navi Mumbai-400708, Maharashtra and which is assigned the approval mark IND/09/08/304;



**MAKE - APLAB LIMITED**  
**MODEL NO. - SWADES II - 22424 - 7**

The seal is done by threaded wire and seal. The wire is passed through the screw holes in the metering unit and at the end of the wire, meter is sealed and stamped. The instrument can not be opened without breaking the seal. A typical schematic diagram of sealing provision of the Model is given above.

The said Model is an electronic dispensing pump and consists of positive displacement meter with dual nozzle and non reversible electronic totalizer. Its maximum display for volume upto 7 digits, display for sale value in rupees is of 7 digits and rate per litre is of 5 digits. The smallest division is 10ml. Further the Model is having facility for the density display (static) in 4 digits and with communication port for communicating to the external devices and hardware for automatic etc. It operates on 220V, 50Hertz alternate current power supply. The maximum flow rate is 70 liter per minute. The results are indicated by the Liquid Crystal Diode (LCD) display. The instrument also has the facility of electronic calibration with or without mechanical calibration.

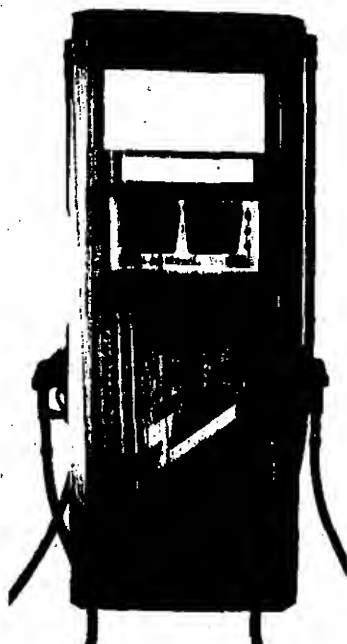
[F. No. WM-21 (99)/2008]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अक्टूबर, 2009

**का.आ. 2780.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स अपलैब लिमिटेड, यूनिट III, प्लॉट नं. 12, डिघा विलेज, टीटीसी इंडस्ट्रीयल एरिया, थाने, बेलापुर रोड, नवी मुंबई-400 708, महाराष्ट्र द्वारा विनिर्मित "स्वदेस-II-22425-7" श्रृंखला के अंकक सूचन सहित, इलेक्ट्रॉनिक डिस्पेंसिंग पम्प (स्टैंडर्ड एंड हैवी इयूटी डुअल पम्प) के मॉडल का, जिसके ब्रांड का नाम "स्वदेस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/305 समनुदेशित किया गया है,



**MAKE - APLAB LIMITED  
MODEL NO. - SWADES II - 22425 - 7**

ग्रेडिड वायर और सील से सीलिंग की जाती है। मीटरिंग यूनिट के स्कू छेद में से वायर निकाल कर और वायर के अंतिम में मीटर को सील और स्टम्प किया जाता है। सील को तोड़े बिना उपकरण को खोला नहीं जा सकता। मॉडल की सीलिंग व्यवस्था का स्कीमवार डायग्राम ऊपर दिया गया है।

उक्त मॉडल एक इलेक्ट्रॉनिक डिस्पेंसिंग पम्प है जिसमें ड्यूल नोजल के साथ पाजिटिव डिस्पलेसमेंट मीटर और नॉन रिवरसिबल इलेक्ट्रॉनिक टोटलाइजर है। इसकी क्षमता के लिए अधिकतम प्रदर्श 7 अंकों तक है, रुपए में विक्रय दर के लिए प्रदर्श 7 अंकों में है और दर प्रति लिटर 5 अंकों में है। न्यूनतम प्रभाग 10 मि. लि. है। इसके अतिरिक्त मॉडल में डेंसिटी प्रदर्श (स्टेटिक) 4 अंकों में और संचार आदि के लिए संचार पोर्ट के साथ बाहरी उपाय और हार्डवेयर के लिए आटोमेशन सुविधा है। उपकरण 220 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। अधिकतम प्रवाह दर 40/70 लिटर प्रति मिनट है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण इलेक्ट्रॉनिक केलिब्रेशन सुविधा सहित या मेकेनिकल केलिब्रेशन सुविधा रहित है।

[फा. सं. डब्ल्यू एम-21 (99)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th October, 2009

**S.O. 2780.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of electronic Dispensing Pump (Standard & Heavy duty dual pump) with digital indication with 'SWADES-II-22425 -7' series and brand name "SWADES" (hereinafter referred to as the said model), manufactured by M/s. Aplab Limited, Unit III, Plot No. 12, Digha Village, TTC Industrial Area, Thane, Belapur Road, Navi Mumbai-400 708, Maharashtra and which is assigned the approval mark IND/09/08/305;



**MAKE - APLAB LIMITED**  
**MODEL NO. - SWADES II - 22425 - 7**

The seal is done by threaded wire and seal. The wire is passed through the screw holes in the metering unit and at the end of the wire, meter is sealed and stamped. The instrument can not opened without breaking the seal. A typical schematic diagram of sealing provision of the model is given above.

The said model is an electronic dispensing pump and consists of positive displacement meter with dual nozzle and non reversible electronic totalizer. Its maximum display for volume upto 7 digits, display for sale value in rupees is of 7 digits and rate per litre is of 5 digits. The smallest division is 10ml. Further the model is having facility for the density display (static) in 4 digits and with communication port for communicating to the external devices and hardware for automation etc. It operates on 220V, 50 Hertz alternate current power supply. The maximum flow rate is 40/70 liter per minute. The results are indicated by the Liquid Crystal Diode (LCD) display. The instrument also has the facility of electronic calibration with or without mechanical calibration.

[F. No. WM-21 (99)2008]

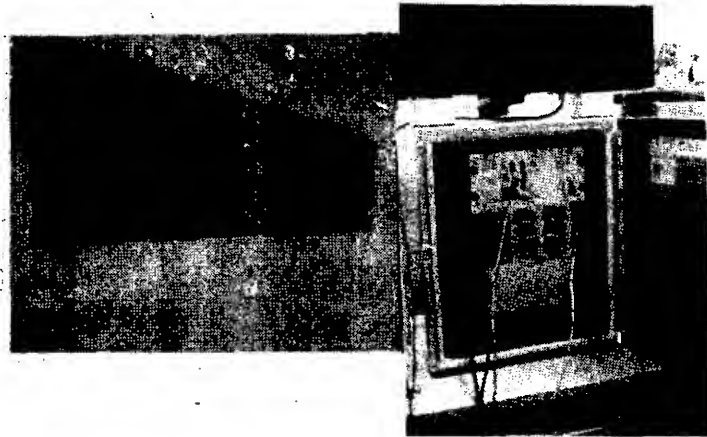
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अक्टूबर, 2009

का.आ. 2781.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स इंटरनेशनल रोड डायनॉमिक्स साउथ एशिया प्रा. लि., विला, ग्राउंड फ्लोर, ब्लॉक-V चारमबुड विलेज, सूरजकुंड रोड, फरीदाबाद-121 009, हरियाणा द्वारा विनिर्मित यथार्थता वर्ग -0.5 वाले "SSWIM 4020" शृंखला के अंकक सूचन सहित, स्वचालित तोलन उपकरण (टोटल व्हीकल वेइंग) के मॉडल का, जिसके ब्रांड का नाम "ird" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/08/374 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल विकृत गेज प्रकार का भार सैल आधारित स्वचालित तोलन उपकरण (टोटल व्हीकल वेट) है जिसकी अधिकतम क्षमता 40 टन है और न्यूनतम क्षमता 500 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 कि.ग्रा. है। वेब्रिज के स्टील प्लेटफार्म को गढ़े के ऊपर खड़ा किया गया है जिसे दो लोड सैल में सस्पेंड किया गया है। एक्सल का वजन सारे लोड सैल को सेंस भी करता है, एड भी करता है और रोड के एक साइड में फिट किए गए जंकसन बाक्स/कंट्रोलर के डिजिटल व्हे ईडीकेटर में फीड कर देता है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



उपकरण को सील करने के लिए दो सील लगाई जाती है, एक सील इलेक्ट्रॉनिक सर्किट की सुरक्षा हेतु तुलन उपस्कर के डिस्प्ले के बायीं तरफ और दूसरी सील मैकेनिकल असेंबली की सुरक्षा हेतु डिस्प्ले यूनिट के दायीं तरफ नीचे लगाई जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1x10के, 2x10के, 5x10के के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यूएम-21 (249)/2008]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान



New Delhi, the 5th October, 2009

**S.O. 2781.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of automatic weighing instrument (Total vehicle weighing) with digital indication of accuracy class-0.5 of series "SSWIM 4020" and with brand name "ird" (hereinafter referred to as the said model), manufactured by M/s. International Road Dynamics South Asia Pvt. Ltd., Villa 13, Ground Floor, Block-V, Charmwood Village, Surajkund Road, Faridabad-121 009, Haryana and which is assigned the approval mark IND/09/08/374.

The said model is a strain gauge type load cell based automatic weighing instrument (Total vehicle weighing) with a maximum capacity of 40 tonne and minimum capacity of 500 kg. The verification scale interval (e) is 10kg. There is a pit mounted steel platform of weighbridge suspended on the two load cells. The weight of the axle is sensed by all the load cells is summed up and fed to digital weight indicator through the junction box/controlloer fitted one side of the road. The light emitting diode (LED) indicators the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

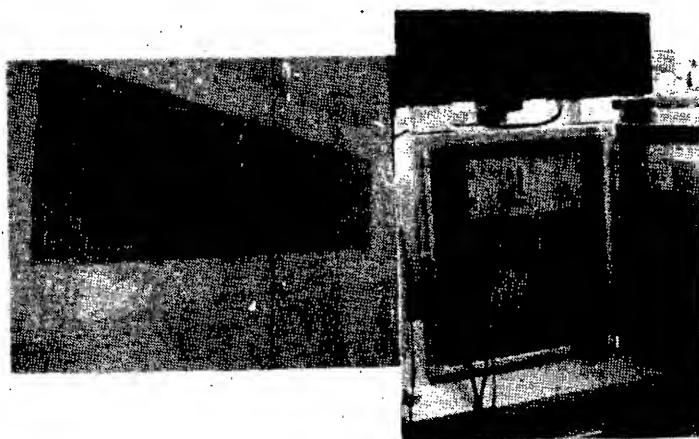


Fig 3 Sealing Arrangement

For sealing the instrument two seals are applied, one is at the left side of the display of the weighing instrument for safety of electronic circuit and the other seal is at the right side below of the display unit for safety of mechanical assembly. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section(12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval(n) in the range of 100 to 1000 for 'e' value of 5g, or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (249)/2008]

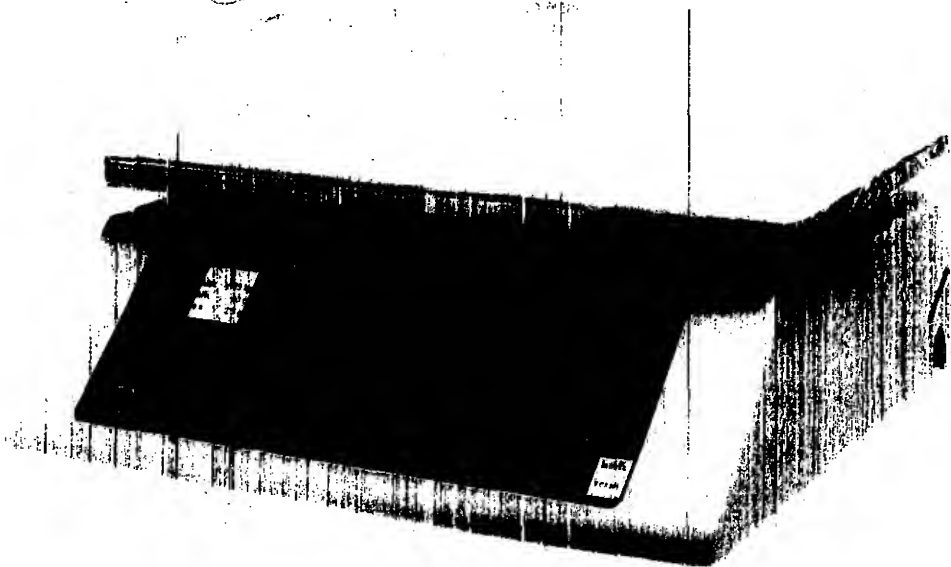
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अक्टूबर, 2009

**का.आ. 2782.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स लीटैक वेइंग सिस्टम्स, 342, फोकल पवाइंट अमृतसर द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "ईसीएस.-200" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "लीटैक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/206 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



वेइंग स्केल के दायीं तरफ आउटर कवर और तल प्लेट काटकर, दो छेद किए गए हैं और सत्यापन स्टाम्प और सील प्राप्त करने के लिए इन दो छेदों के जरिए लीड तार से बांधा जाता है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मस्टर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्माता उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1x10के, 2x10के, 5x10के, के है, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (90)/2009]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th October, 2009

**S.O. 2782.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of medium accuracy (Accuracy class-III) of series "ECS-200" and with brand name "LEETECH" (hereinafter referred to as the said model), manufactured by M/s. Leetech Weighing Systems, 342, Focal Point Amritsar which is assigned the approval mark IND/09/09/206.

The said model is a strain gauge type load cell based non-automatic weighing instrument (Total top type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates of 230 Volts, 50 Hertz alternative current power supply.



From the right side of the weighing scale two holes are made by cutting the outer cover and bottom plate and fastened by a leaded wire through these two holes for receiving the verification stamp and seal. The weighing scale can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section(12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval(n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured:

[F. No. WM-21 (90)/2009]

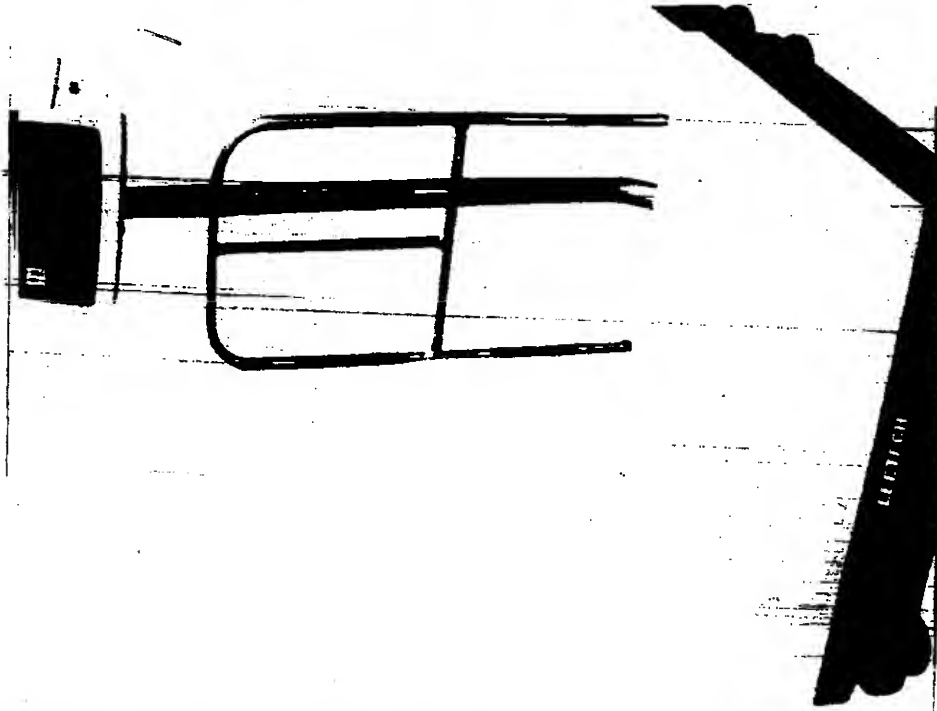
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 अक्टूबर, 2009

का.आ. 2783.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स लीटैक वेइंग सिस्टमज, 342, फोकल प्वाइंट अमृतसर द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "ईपीएस-101" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "लीटैक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/207 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है इसकी अधिकतम क्षमता 200 कि.ग्रा. और न्यूनतम क्षमता 400 ग्रा. है। सत्यापन मापमान अंतराल (ई) 20 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



सर्किट और मैकेनिकल असेंबली की सुरक्षा के लिए स्टाम्पिंग प्लेट पर लीड सील को लगाया जाता है। उपकरण की बाड़ी पर दिए गए छेदों के माध्यम से लीड और सील तार लगाकर सीलिंग की जा सकती है। उपकरण को सील के छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनित द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन)सहित 50 कि. ग्रा. से अधिक और 5000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और ई " मान 1x10के, 2x10के, 5x10के, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के संमतुल्य हैं।

[फा. सं. डब्ल्यू एम-21 (90)/2009]

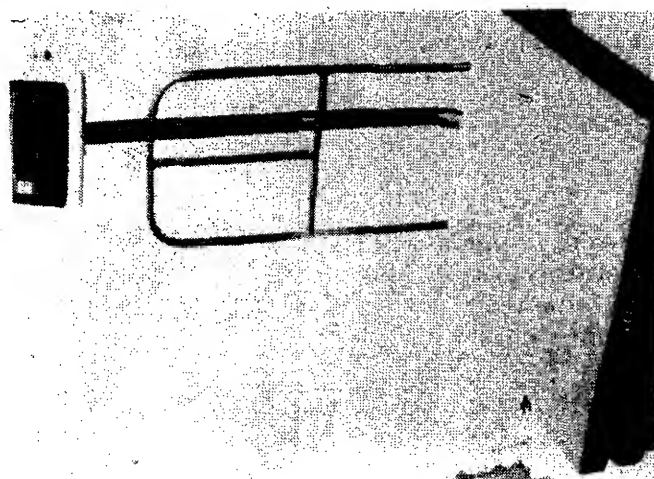
आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th October, 2009

**S.O. 2783.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "EPS- 101" and with brand name "LEETECH" (hereinafter referred to as the said model), manufactured by M/s. Leetech Weighing Systems, 342, Focal Point, Amritsar which is assigned the approval mark IND/09/09/207.

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 200 kg and minimum capacity of 400 g. The verification scale interval (e) is 20g. It has a tare device with a 100 percent subtractive retained tare effect. The light emitting diode (LED) indicates the weighing results. The instrument operates of 230 Volts, 50 Hertz alternative current power supply.



Lead seal is affixed on the stamping plate for the security of circuit and mechanical assembly to avoid fraudulent use. Sealing can be done by applying lead & seal wire through the holes provided on the body of the instrument. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section(12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg upto 5000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (90)/2009]

R. MATHURBOOTHAM, Director of Legal Metrology

## भारतीय मानक ब्यूरो

नई दिल्ली, 25 सितम्बर, 2009

का.आ. 2784.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खण्ड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक (कों) में संशोधन किया गया/किए गए हैं।

## अनुसूची

| क्रम संख्या | संशोधित भारतीय मानक की संख्या और वर्ष   | संशोधन की संख्या और तिथि    | संशोधन लागू होने की तिथि |
|-------------|---|-----------------------------|--------------------------|
| 1           | 2   | 3                           | 4                        |
| 1.          | आई एस 14278: 1995 कंक्रीट और चिनाई बांधों में प्रतिवर्तन मापन युक्तियां, संस्थापन, चालू करना तथा प्रेक्षण-रीति संहिता | संशोधन संख्या 1 अगस्त, 2009 | 31 अगस्त, 2009           |

इस संशोधन की प्रतियां भारतीय मानक ब्यूरो मानक भवन 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुंबई तथा शाखा कार्यालयों अहमदाबाद, बंगलोर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पुणे तथा तिरुवनन्तापुरम में विक्री हेतु उपलब्ध है।

[संदर्भ: डब्ल्यू आर डी 16/टी-18]

जे. सी. अरोड़ा, वैज्ञ. ई. एवं प्रमुख जल संसाधन विभाग)

## BUREAU OF INDIAN STANDARDS

New Delhi, the 25th September, 2009

S.O. 2784.—In pursuance of clause (b) of sub-rule 1 of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

## SCHEDULE

| S. No. | No. Title and Year of the Indian Standards   | No. and Year of the amendment | Date from which the amendment shall have effect |
|--------|--|-------------------------------|---|
| 1      | 2  | 3                             | 4   |
| 1.     | IS 14278: 1995 Stress Measuring Devices in Concrete and Masonry Dams—Installation, Commissioning and Observations Code of Practice | Amendment No. 1 August, 2009  | 31-8-2009                                       |

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah, Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. WRD 16/T-18]

J. C. ARORA, Sc.- E &amp; Head (Water Resources Deptt.)

## परमाणु ऊर्जा विभाग

## आदेश

मुंबई, 5 अक्टूबर, 2009

का.आ. 2785.—परमाणु ऊर्जा अधिनियम, 1962 (1962 का 33) की धारा 27 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्द्वारा यह निदेश देती है कि इस आदेश के साथ संलग्न अनुसूची के कॉलम (2) में विनिर्दिष्ट क्षेत्रों, जो कि निषिद्ध क्षेत्र हैं, के संबंध में उक्त अधिनियम की धारा 19 के द्वारा प्रदत्त शक्तियाँ उक्त अनुसूची के कॉलम (3) में संगत प्रविष्टियों में उल्लिखित सभी अथवा उनमें से किसी भी अधिकारी अथवा प्राधिकारी द्वारा भी प्रयोग की जा सकेंगी।

## अनुसूची

| क्र. सं. | निषिद्ध क्षेत्र का नाम                                       | अधिकारी अथवा प्राधिकारी का पदनाम                                   |
|----------|--|--|
| (1)      | (2)  | (3)  |
| 1.       | बागजाता यूरैनियम खान<br>यूरैनियम कारपोरेशन आफ इंडिया लिमिटेड | 1. अध्यक्ष एवं प्रबंध निदेशक, यूरैनियम कारपोरेशन आफ इंडिया लिमिटेड |

| (1) | (2)   | (3)   |
|-----|---|---|
|     | जिला पूर्वी सिंहभूम, झारखंड निम्नलिखित प्लॉट सं.<br>द्वारा कवर<br>बागजाता खान के प्लॉट नंबर<br>(फुलझरी, मौजा) :   | 2. निदेशक (तकनीकी), यूरेनियम कारपोरेशन आफ इंडिया लिमिटेड      |
|     | 484, 485, 486, 489, 488, 458, 490, 492, 501, 500, 499, 498,<br>497, 496, 512, 511, 513, 514, 515, 516, 517, 691, 42, 28,<br>30, 33, 36, 491, 493, 494, 495,<br>बागजाता खान के प्लॉट नंबर<br>(बागजाता, मौजा) :   | 3. महाप्रबंधक (कार्मिक), यूरेनियम कारपोरेशन आफ इंडिया लिमिटेड |
|     | 26, 27, 31, 32, 34, 35, 37, 38, 39, 40, 41, 43, 44, 45, 46, 245,<br>244, 246, 258, 259, 254, 257, 243, 247, 248, 241, 240, 249,<br>253, 251, 256, 250, 264, 265, 266, 267, 276, 275, 274,<br>270, 273, 272, 269, 268, 308, 307, 306, 305, 304, 284,<br>283, 286, 282, 281, 280, 277, 278, 279, 236, 237, 239, 238,<br>287, 288, 303, 309, 289, 292, 233, 284, 228, 224, 227, 225,<br>216, 215, 201, 199, 457, 459, 25, 55, 52, 50, 51, 49, 48, 47,<br>235, 484, 29. | 4. महाप्रबंधक (खान), यूरेनियम कारपोरेशन आफ इंडिया लिमिटेड     |
|     |   | 5. मुख्य अधीक्षक (खान), यूरेनियम कारपोरेशन आफ इंडिया लिमिटेड  |
|     |   | 6. उप प्रबंधक (सुरक्षा), यूरेनियम कारपोरेशन आफ इंडिया लिमिटेड |

[फा. सं. एईए/19 (1)/2007-ईआर]

ए. गीतेश शर्मा, संयुक्त सचिव

## DEPARTMENT OF ATOMIC ENERGY

## ORDER

Mumbai, the 5th October, 2009

S.O. 2785.— In exercise of the powers conferred by section 27 of the Atomic Energy Act, 1962 (33 of 1962), the Central Government hereby directs that the powers conferred on it by section 19 of the said Act shall, in respect of the areas specified in column (2) of the Schedule annexed hereto, being prohibited areas, be exercisable also by all or any of the officers or authorities mentioned in the corresponding entries in column(3) of the said Schedule.

## SCHEDULE

| S1. No. | Name of the prohibited area   | Designation of the Officer or Authority   |
|---------|---|---|
| (1)     | (2)   | (3)   |
| I.      | Bagjata Uranium Mine of Uranium Corporation of India Limited, Dist. East Singhbhum, Jharkhand covered by the following Plot Nos.<br>Plot Nos. of Bagjata Mine (Phulzhari Mouza)<br>484, 485, 486, 489, 488, 458, 490, 492, 501, 500, 499, 498, 497, 496, 512, 511, 513, 514, 515, 516, 517, 691, 42, 28, 30, 33, 36, 491, 493, 494, 495,<br>Plot Nos. of Bagjata Mine (Bagjata Mouza) :<br>26, 27, 31, 32, 34, 35, 37, 38, 39, 40, 41, 43, 44, 45, 46, 245, 244, 246, 258, 259, 254, 257, 243, 247, 248, 241, 240, 249, 253, 251, 256, 250, 264, 265, 266, 267, 276, 275, 274, 270, 273, 272, 269, 268, 308, 307, 306, 305, 304, 284, 283, 286, 282, 281, 280, 277, 278, 279, 236, 237, 239, 238, 287, 288, 303, 309, 289, 292, 233, 284, 228, 224, 227, 225, 216, 215, 201, 199, 457, 459, 25, 55, 52, 50, 51, 49, 48, 47, 235, 484, 29. | 1. Chairman and Managing Director, Uranium Corporation of India Limited.<br>2. Director(Technical), Uranium Corporation of India Limited,<br>3. General Manager(Pers.), Uranium Corporation of India Limited,<br>4. General Manager (Mines), Uranium Corporation of India Limited,<br>5. Chief Superintendent (Mines), Uranium Corporation of India Limited,<br>6. Deputy Manager (Security), Uranium Corporation of India Limited, |

[F. No. AEA/19(1)/2007-ER]

A. GITESH SARMA, Jt. Secy.



**श्रम एवं रोजगार मंत्रालय**

नई दिल्ली, 8 सितम्बर, 2009

का. आ. 2786.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नार्दन रेलवे के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, दिल्ली के पंचाट (संदर्भ संख्या 13/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-9-2009 को प्राप्त हुआ था।

[सं. एल-41012/226/2003-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

**MINISTRY OF LABOUR AND EMPLOYMENT**

New Delhi, the 8th September, 2009

S.O. 2786.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 13/2004) of the Central Government Industrial Tribunal-cum-Labour Court-1, Delhi as shown in the Annexure, in the Industrial Dispute between the management of Northern Railway and their workmen, which was received by the Central Government on 8-9-2009.

[No. L-41012/226/2003-IR (B-I)]

AJAY KUMAR, Desk Officer

**ANNEXURE**

**BEFORE DR. R.K. YADAV, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT-1,  
NEW DELHI, KARKARDOOMA  
COURT COMPLEX, DELHI**

I.D. No. 13/2004

Shri Munni Ram, S/o Shri Tek Chand,  
Village and Post Office Atta,  
Tehsil Samalkha,  
Distt. Panipat, Haryana

... Workman

*Versus*

The Assistant Mechanical Engineer,  
DSL, Shakur Basti,  
Northern Railway,  
Diesel Shed, Shakur Basti,  
New Delhi.

... Management

**AWARD**

Munni Ram, who was working as Diesel Khalasi at Diesel Shed, Shakur Basti, went to his native village in June, 1986, after getting leaves sanctioned w.e.f. 23rd of June, 86 to 28th of June, 86. He opted not to report for his duties thereafter. Various communications were sent to him, but to no avail. A departmental enquiry was initiated and

charge sheet was sent at his residential address. He received the charge sheet, but opted not to respond to it. Thereafter communications were sent, which were received back undelivered with the remarks that despite various visits Munni Ram was not available. It came to light that he was serving somewhere, away from his village. Enquiry was conducted *ex parte* and Munni Ram was dismissed vide order dated 5th of December, 1990. After a long gap Munni Ram approached his employer and him to allow him to join his duties. His request was declined. He raised an industrial dispute before the Conciliation Officer. Since conciliation proceedings failed, the appropriate Government referred the dispute to this Tribunal vide Order No. L-41012/226/2003-IR (B-I) dated 30-1-2004, with following terms :

“Whether the action of the management of Northern Railway (Asstt. Mechanical Engineer, Diesel Shed, Shakur Basti, New Delhi) of removal from service of Shri Munni Ram S/o Shri Tek Chand, Diesel Khalasi is just, fair and legal? If not what relief the workman is entitled to and from what date?”

2. Claim statement was filed by Munni Ram, pleading therein that he was employed as Diesel Khalasi at Diesel Shed, Shakur Basti, Delhi, as casual labour w.e.f. 12-3-76 to 11-4-78. He was brought on regular panel of Diesel Khalasi on 12-4-78, where he worked till the date when his services were terminated. He presents that his services were terminated by the management on 5-12-90 without any notice, charge sheet or enquiry. He enumerates that he went to his native village Atta, Tehsil Smalkha, district Panipat, Haryana, on 23-6-86, after getting leave sanctioned for 6 days, besides weekly rest for 29th of June, 1986, with permission to leave the station. He presents that no communication was ever served upon him, not to talk of serving any charge sheet, notice or order imposing penalty upon him. He unfolds that when he came to know that his services were dismissed, he preferred an appeal which was rejected on 31-1-2000, being barred by time. According to him, the enquiry was in violation of principles of natural justice, which was based on extraneous considerations. No evidence was there on records against him. No opportunity was given to him to defend himself. The decision taken by the Disciplinary Authority was not based on any material. He presents that his services were terminated in illegal manner, without any notice, charge sheet or enquiry. He claims reinstatement in service, with continuity and full back wages.

3. Management demurred the claim pleading that Munni Ram was engaged as casual labour on 12-3-76 and subsequently he was appointed as a substitute Khalasi in Diesel Shed, Shakur Basti, Northern Railway, Delhi, on 12-4-78. In 1981 a screening of substitutes for absorption against regular post was conducted by a committee of three officers, as a result of which he was included in the list of the persons placed on provisional screening panel of Diesel



Khalasi. He worked as Diesel Khalasi from 12-4-78 till 1986. On 23-6-86 he proceeded on leave for six days with weekly rest on 29-6-86. He was to report for his duty on 30-6-86. Instead of reporting for duty he absented himself from his duties, without any intimation. From 30-6-86 till 8th of February, 90 neither he reported for duty nor sent any intimation to his office about his absence. Charge sheet was issued to him on 8-2-90 for remaining unauthorisedly absent from duty, which was sent at his native village Atta, Tehsil Panipat, District Karnal, Haryana. Which was duly acknowledged by him as per A.D. card received from postal authorities. After receipt of the charge sheet he failed to submit his written statement or defence, even after expiry of more than 10 days. The Disciplinary Authority decided to appoint an Enquiry Officer to enquire into article of charges. Consequently Shri N.N. Sharma was appointed as Enquiry Officer vide letter dated 23-3-90, copy of which was sent to him at the aforesaid address, under registered cover. It was received back undelivered with the remarks from postal authorities that despite various visits addressee was not available. It came to light that he was living somewhere without a known destination. Meanwhile Shri N.N. Sharma was transferred and Shri Rishi Prakash Sharma was appointed Enquiry Officer in his place vide order dated 26-5-90. Copy of the said order was sent by registered post, but it was also received undelivered with the remarks that despite various visits addressee was not available. It came to light that he was serving somewhere. He was further informed vide letter dated 20-6-90 that he can nominate his defence helper, which letter was also received back undelivered with the remarks that he was residing somewhere away from the village, while his family members told the postman that postal article may be sent back. Constrained with these facts Enquiry Officer fixed the enquiry on 21st of July, 90 at Diesel Shed, Shakur Basti and letter dated 13th of July was sent to the workman under registered cover. It was received back with the remarks that he was residing somewhere from the village and his family members did not disclose his address. The Enquiry Officer got a notice pasted on notice board of the shed in presence of two employees. Another date of enquiry was fixed for 29-9-90, which fact was informed to him vide letter dated 15-9-90 sent by registered post. He was advised to attend enquiry but he did not attend the same. The said letter was also received back undelivered with the same remarks as referred above. Letter dated 22-9-90 was sent by the Enquiry Officer calling upon the workman to attend the enquiry on 1-10-90 instead of 29-9-90 but the said letter was also received back undelivered with the same remarks, referred above. Since the workman did not participate the enquiry, the Enquiry Officer was constrained to conclude it *ex parte*. He submitted his report to the Disciplinary Authority, copy of which report was sent to him by the Disciplinary Authority, vide letter dated 31-10-90 advising him to make a representation on the said report.

The said letter was received back undelivered with the remarks that he was residing somewhere away from the village. The Disciplinary Authority decided to impose penalty of removal from service and, therefore, he was removed from service w.e.f. 5-11-90. Copy of the said order was sent to him by registered cover, which was also received back undelivered with the same remarks, as referred above. A copy of removal order was pasted on the notice board of the shed on 28-12-90 in the presence of three employees. The enquiry was conducted against him according to rules. On 11-12-2000 he sent an appeal before the Appellate Authority, which was dismissed being barred by time. A claim was made that the workman is not entitled for reinstatement in service.

4. Workman tendered his affidavit in his evidence. He was cross-examined on behalf of the management. Shri A.K. Srivastava, Assistant Divisional Mechanical Engineer, tendered his affidavit on behalf of the management, who was cross-examined on behalf of the workman. No other witness was examined by either of the parties.

5. Arguments were heard at the bar. Workman presented facts in person. Shri H.L. Nanda A/R raised his submissions on behalf of the management. I have given my careful consideration to the arguments advanced at the bar and cautiously perused the record. My findings on issues involved in the controversy are as follows :

6. Munni Ram swears in his affidavit that he served as casual labour at Diesel Shed, Shakur Basti, from 12-3-76 to 11-4-78. He became Diesel Khalasi on 12-4-78 and worked assuch for about 8 years. He was sanctioned leave on 23-6-86 till 28-6-86 besides weekly rest for 29-6-86, with permission to leave for his native village Atta, Tehsil Panipat, District Panipat, Haryana. No communication was received by him purporting to be a notice or service of charge sheet on him. He had not received any communication concerning enquiry being conducted. He had not received any information that enquiry was being conducted *ex parte*. Finding of the enquiry officer and notice of intention to impose penalty of removal was not served upon him. He had rendered meritorious service with the management. Later on he came to know that his services have been terminated without granting any reasonable opportunity to defence himself. He projects that charge sheet was served upon one Mani Ram and not on him. He filed an appeal on 11-12-2000 but it was rejected on 31-1-2000 being barred by time. He presents that it was Mani Ram who was proceeded departmentally and under these circumstances no opportunity was granted to him to defend himself before the Enquiry Officer.

7. During the course of his cross-examination he concedes that charge sheet was received by him, to which he had not furnished any reply. He admits that his father's name is Tek Chand, who is resident of village Atta, District Panipat, Haryana. He concedes that his name is mentioned

in the charge sheet as Mani Ram and not as Munni Ram. Therefore, out of facts projected by Munni Ram it came to light that he wants to raise a dispute as to the identity of the person, who was proceeded departmentally, claiming that it was sent on one Mani Ram and not him.

8. Shri A.K. Srivastava swears that when the workman opted not to join his duties from 30-6-86 till 8-2-90, it was decided to initiate a departmental enquiry against him, for his unauthorized absence from duty. Charge sheet was sent to him at his address at village Atta, Tehsil Panipat, District Karnal, Haryana, which was duly acknowledged by him. He had not submitted any explanation to that charge sheet. Shri N.N. Sharma was appointed as Enquiry Officer, which fact was communicated to him vide letter dated 31-2-90. Since Shri N.N. Sharma was transferred, Shri Rishi Prakash Sharma was appointed as Enquiry Officer vide letter dated 26-5-90, which fact was also communicated to him by registered post. The Enquiry Officer informed the workman time to time by registered letters about the progress of the enquiry, which letters were received back undelivered with the report that he was staying away from his village and his family members were not willing to tell his whereabouts. Since the workman had not responded to the communication sent by the Enquiry Officer, he was constrained to proceed him *ex parte*. He conducted the enquiry and submitted his report dated 31-10-90 to the Disciplinary Authority. The Disciplinary Authority sent a notice to show cause against the proposed penalty of removal. That communication was also received back undelivered. Ultimately the Disciplinary Authority passed order dated 5-12-90 removing the workman from his services. Copy of removal order was pasted on the notice board on 28-12-90. Even after removal of his services he had not contacted the authorities to appraise them about his problem for remaining absent from his duties for years together. After a gap of ten years from his removal, he presented an appeal which was declined as barred by time.

9. Out of facts unfolded by the workman as well as Shri H.L. Nanda it came to light that the workman left for his native village on 23-6-86 after getting leave for six days sanctioned. He was to avail 29th of June, 89 as his weekly rest and then to join his duties on 30th of June, 86. Thereafter he remained absent till 8th of February, 90, when a departmental enquiry was initiated against him. Charge sheet was sent to him which was received by him but he opted not to offer an explanation to it. Various communications, sent to him at his native place, were received back undelivered with the remarks that he was staying somewhere away from his village and his family members were not ready to disclose his whereabouts. Under these circumstances, a departmental enquiry was initiated against him *ex parte*. It emerges over the record that opportunity to show cause was given to the workman by the Enquiry Officer. Under these circumstances the Enquiry

Officer is exonerated of his duty to give a reasonable opportunity to delinquent official concerned. Law to this effect was laid in Joseph John 1956 (1) LLJ 239.

10. When the workman did not avail the opportunity then subsequently he cannot challenge the enquiry which was continued in his absence, claiming it to be violative of principles of natural justice. If a workman intentionally refused to participate in the enquiry he cannot complain that his dismissal is against principles of natural justice. Law to this effect was laid in Sadul Textiles Mills Limited [1957 (1) LLJ 572], Bagchi (P.N.) & Co. Private Limited [1959 (1) LLJ 605], Muir Mills Company Limited (24 FJR 123), Major U.R. Bhatnagar [1965 (1) LLJ 656], Ghansham Dass Srivastava (1968 2 LLJ 246) and Laxmi Devi Sugar Mills [1957 (1) LLJ 17].

11. Normally in a judicial proceedings a party is not to be heard who absents himself from the hearing and if the quasi judicial authority holds proceedings *ex parte* in such a case, then it will not amount to misconduct on his part. Law to this effect was laid in S. Govinda Menon [1973 (2) LLJ 369]. In view of these proposition of law, it is crystal clear that the Enquiry Officer is not guilty of violating the principles of natural justice. The Disciplinary Authority tried to seek an explanation of the workman but he could not succeed, since the workman had decided not to respond to the communications sent by the Disciplinary Authority or the Enquiry Officer. Under these circumstances it was beyond the competence of the authorities to accord and opportunity of being heard to the workman.

12. Document Ex. WW1/9 speaks of a situation, which project hollowness of his claim. This document was written by the workman himself, wherein he admits that on leave he went to his native village where he became insane. He projects therein that he lost his memory and started roaming hither and thither. He roamed about 10-11 years and thereafter he gained sanity. He came to Diesel Shed, Shakur Basti, Delhi, where he was not allowed to resume his duty. Therefore, out of Ex. WW1/9 it is evident that the workman claims responsibility of not joining the duties, despite various communications sent to him. He tried to create alibi that on account of insanity of mind he was away from his house for more than 10-11 years. Contents of Ex. WW 1/9 are nothing but an after-thought, since he admits the receipt of charge sheet in his testimony. therefore, it is emerging over the record that for reasons best known to the workman he opted not to report for his duties. He took a decision not to participate in the Enquiry and not to offer any explanation to notice sent of proposed penalty of his removal from service. Under these circumstances it does not lie in his mouth to claim that the enquiry was violative of principles of natural justice and punishment awarded to him is not proportionate to his misconduct.

13. Action of the management of Northern Railway of removal from service of Munni Ram is found to be just.

fair and legal. Workman is not entitled to any relief. An Award is, accordingly, passed.

Dr. R. K. YADAV, Presiding Officer

नई दिल्ली, 8 सितम्बर, 2009

का. आ. 2787.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ़ इंडिया के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट, औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-1, दिल्ली के पंचाट (संदर्भ संख्या 30/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-9-2009 को प्राप्त हुआ था।

[सं. एल-12011/79/2008-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 8th September, 2009

S.O. 2787.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 30/2009) of the Central Government Industrial Tribunal-cum-Labour Court-1, Delhi as shown in the Annexure, in the Industrial Dispute between the management of State Bank of India and their workmen, which was received by the Central Government on 8-9-2009.

[No. L-12011/79/2008-IR (B-I)]

AJAY KUMAR, Desk Officer

#### ANNEXURE

**BEFORE DR. R.K. YADAV, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT-1,  
NEW DELHI, KARKARDOOMA  
COURT COMPLEX, DELHI**

I.D. No. 30/2009

Shri Prem Singh,  
Through The General Secretary,  
Trade Union Council, INTUC,  
B-2/16, Ashiyana Colony,  
Vivekanand Hospital,  
Kanth Road,  
Moradabad (U.P.)

... Workman

*Versus*

The Deputy General Manager,  
State Bank of India, Zonal Office 1,  
New Cantt. Road,  
Dehradun

Regional Manager,  
State Bank of India,  
Region-IV, Hotel Sikhar,  
Almora

... Management

#### AWARD

Prem Singh was appointed as Assistant Cashier-cum-Clerk in Badaun Branch of State Bank of India on 22nd of December, 1981. In 1988 he was transferred to Nagina Branch of the bank. He was again transferred to Boodenpur (Bijnore) branch of the bank in 1995. He was placed under suspension on 4-8-97. A departmental enquiry was conducted against him, since he had perpetrated a fraud at the aforesaid branch of the bank. He was found guilty of the charges and compulsorily retired on 16th of January, 2003, while his period of suspension was treated as not spent on duty. He raised a claim for sanctioning pension in his favour, which was declined. He raised a dispute before the Conciliation Officer. Since conciliation proceedings failed, the appropriate Government referred the dispute to this Tribunal vide Order No. L-12011/79/2008-IR (B-I) dated 1-7-2009, with following terms:

“Whether the action of the management of State Bank of India in not sanctioning pensionary benefits to the concerned workman Shri Prem Singh, Asstt. Cashier-cum-Clerk retired compulsorily from service w.e.f. 16-1-2003, is legal and; justified? If not, to what relief he is entitled to from which date?”

2. Claim statement was filed by the workman, pleading there is that he was employed with the management bank as Assistant Cashier-cum-clerk on 22-12-81. He was transferred to Nagina Branch and thereafter to Boodenpur (Bijnor) branch of the bank in 1995. He was lastly transferred to Dwar Hatt, Almora branch of the bank in 1977. He was suspended in 1997. By initiating *ex parte* proceedings against him, he was compulsorily retired vide order dated 16-1-2003. Though the bank had made payment of his dues upto 2003, yet his pension benefits were not released. He presents that his period of suspension may be treated as spent on duty and bank may be directed to sanction pensionary benefits in his favour.

3. Contest was given to his claim by the management pleading that since workman committed a fraud in the bank, he was placed under suspension on 4-8-97. Chargesheet was served upon him on 22-11-97. Departmental enquiry was conducted and charges stood proved against him. Enquiry Officer submitted his report dated 29-1-2001 and Disciplinary Authority found him guilty of gross misconduct. Vide order dated 16-1-2003 he inflicted punishment of compulsory retirement on the workman and the period of his suspension from 4-8-97 to 16-1-2003 was treated as not spent on duty. As per the provisions of State Bank of India Employees Pension Fund Rules (hereinafter referred to as the Rules) suspension period from 4-8-97 to 16-1-2003 cannot be counted as pensionable service. An employee has to complete 20 years of qualifying service for release of pension in his favour. Since the workman has rendered only 15 years 8 months and 13 days service, pension could not be released in his favour. Claim

projected by the workman is not in consonance with the Rules. He is not entitled to any benefit towards pension.

4. Order dated 16-1-2003 was not disputed by the workman. Hence the same is exhibited as Ex. M-1. The Rules were filed by the bank, which were also not disputed by the workman. Hence same were exhibited as Ex. M-2. Workman as well as the management opted not to lead any evidence over the matter. Therefore, evidence of the parties was closed.

5. Arguments were heard at the bar. Workman, assisted by Shri S.K. Sharma, his A/R, raised submissions in the matter. Shri Rajat Arora A/R raised submissions on behalf of the Management. I have given my careful consideration to the arguments advanced at the bar and cautiously perused the record. My findings on the issues involved in the controversy are as follows :

6. Ex. M-1 announces that Prem Singh, Assistant Cashier-cum-Clerk, under suspension was ordered to be compulsorily retired and his period of suspension was not to count for any wages, increment, seniority and bonus etc., except the subsistence allowance already paid to him. Consequently it is evident that the Disciplinary Authority ordered for compulsory retirement of the workman w.e.f. 16-1-2003, with directions that his period of suspension from 4-8-97 till 16-1-2003 will not earn him any wages, increment, seniority, bonus etc. Consequently it is evident that the said period was not treated as spent on duty.

7. Admittedly workman joined services of the bank on 22-12-81. He was compulsorily retired on 16-1-2003. Period of suspension w.e.f. 4-8-97 till 16-1-2003 was not treated as spent on duty. Therefore, the workman performed qualifying service for 15 years, 8 months and 13 days only.

8. The Rules contemplates that an employee shall be eligible for pension after having completed 20 years pensionary service provided that he has attained the age of 50 years. As detailed workman has not completed 20 years qualifying service. In case he is on service in the bank on or after 1-11-93, he is entitled for pension on completion of 10 years qualifying service provided that he has attained the age of 58 years. In the other eventuality if the employee is in the service in the bank on or after 22-5-98, he would be eligible for pension on completion of 10 years service provided he has attained the age of 60 years. It is not the case of the workman that he had attained the age of 60 years and rendered 10 years qualifying service to get pensionary benefits. Under these circumstances workman has not been able to show that he has rendered qualifying service to earn pensionary benefits. Consequently no illegality or unjustifiability in the action of the management, in not sanctioning pensionary benefits to the workman, was brought over the record. Therefore, the action of the management is found to be legal and justified.

9. In the dispute under reference the Tribunal is not competent to go behind the order dated 16-1-2003. It cannot enquire into about legality and justifiability of the order, on the strength of which he was compulsorily retired and his period of suspension was treated as not spent on duty. Consequently the Tribunal has to assess the action of the management on the basis of the Rules Ex. M-2 which provides for sanction of pensionary benefits to the workman on rendering 20 years qualifying service. He has not rendered 20 years qualifying service to earn pension. Since he has not reached 60 years of age, hence he cannot get pension on rendering 10 years qualifying service. Consequently he is not entitled to any relief. Reference is answered accordingly and an Award is, hereby, accordingly passed. It be sent to the appropriate Government for publication.

Dr. R. K. YADAV, Presiding Officer

नई दिल्ली, 9 सितम्बर, 2009

का. आ. 2788.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी.सी.एल. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ग्राम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 343/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-9-2009 को प्राप्त हुआ था।

[सं. एल-20012/357/2000-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 9th September, 2009

S.O. 2788.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 343/2000) of the Central Government Industrial Tribunal/Labour Court No. 1, Dhanbad now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. C.C.L. and their workman, which was received by the Central Government on 9-9-2009.

[No. L-20012/357/2000-IR (C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL (No. 1),  
DHANBAD

In the matter of a reference under Section 10(1)(d) and (2A) of Industrial Disputes Act, 1947

Reference No. 343 of 2009

PARTIES:

Employers in relation to the management of  
Hazaribagh Area of M/s. CCL.

AND

Their workman

**PRESENT:**

Sri H. M. Singh, Presiding Officer

**APPEARANCES**

For the Employers : Shri D. K. Verma, Adv.

For the Workman : None

State : Jharkhand : Industry : Coal

Dated, 29th November, 2009

**AWARD**

By Order No. L-20012/357/2000 (C-1) dated 29-11-2009, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of C.C. Ltd., Hazaribagh Area, P.O. Charhi, Distt. Hazaribagh in dismissing Sri Chutter Ganjhu from service w.e.f. 14-2-94 is justified ? If not, to what relief is the workman concerned entitled ?"

This reference case was received in this Tribunal on 26-12-2000. Thereafter, notices were sent to both the parties for filing of written statement. In spite of notices sent for the filing of Written Statement, no written statement has been filed by the workman/sponsoring union till 26-12-2000.

It therefore, appears that neither the concerned workman nor the sponsoring union is interested to contest the case.

In such circumstances, I render a NO DISPUTE AWARD in this reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 9 सितम्बर, 2009

क्र. अ. 2789.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के सम्बद्ध निरीक्षकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ग्राम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 220/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-9-2009 को प्राप्त हुआ था।

[सं. एल-20012/309/2001-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 9th September, 2009

S.O. 2789.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 220/2001)

of the Central Government Industrial Tribunal/Labour Court No. 1, Dhanbad now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. BCCL and their workman, which was received by the Central Government on 9-9-2009.

[No. L-20012/309/2001-IR (C-1)]  
SNEH LATA JAWAS, Desk Officer

**ANNEXURE**

**BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL NO. 1,  
DHANBAD**

In the matter of a reference under U/s. 10(1)(d) (2A) of the Industrial Disputes Act, 1947

Reference No. 220 of 2001

**PARTIES:**

Employers in relation to the management of Moonidih Area of M/s. B.C.C. Ltd.

**AND**

Their workman

**PRESENT:**

Sri H. M. Singh, Presiding Officer

**APPEARANCES**

For the Employers : Shri D. K. Verma, Advocate

For the Workman : Shri N. G. Arun, Authorised Representative, Rashtriya Colliery Mazdoor Sangh.

State : Jharkhand

Industry : Coal

Dated, the 28th August, 2009

**AWARD**

By Order No. L-20012/309/2001-IR (C-1) dated 27-9-2001 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of M/s. Bharat Coking Coal Ltd. in accepting the date of birth of year 1945 instead of 1948 of Shri Jagdish Yadav is legal and justified ? If not, what relief is the concerned workman is entitled to ?"

2. The written statement has been filed on behalf of the concerned workman stating that Jagdish Yadav, concerned workman, Card No. 337 Tyndal, presently working at Moonidih Coal Washery, was initially under the



employment of a Raising Contractor of Muraidih Colliery. The aforesaid colliery was nationalised in the year 1973 and was merged with M/s. BCCL and the service of Jagdish Yadav was also taken over and he became the employee of BCCL having date of his appointment as 31-1-1973. After his employment in BCCL the name of Jagdish Yadav was inserted in all the records including the statutory Form 'B' register of Muraidih colliery and in all the records his date of appointment was mentioned as 31-1-1973. But the age was not assessed immediately and his date of birth was not mentioned in any record at that time. His age was determined in the year 1976 along with others. In that exercise the age of Jagdish Yadav, who was then a Quarry labour, was determined by the authorised persons of the management as 28 years in 1976 and accordingly it was recorded in Form 'B' Register as well as Identity Card Register. He was also issued identity card in the year 1979 by the management of Muraidih colliery wherein his date of birth has been mentioned as 28 years in 1976. In BCCL the retirement of Wage Board employee on superannuation takes place after completion of 60 years of age. As per the provision prevalent in BCCL if there is no particular date of birth and it is only year as the age of any worker, the middle of the year i.e. 1st July is taken for recording the specific date of birth. Accordingly, the date of birth of Jagdish Yadav may be said to be 1st July, 1948 and on calculation he will attain the age of superannuation on 1st July, 2008. In the year 1981 Jagdish Yadav was transferred to Kessargarh colliery of Area-I (Barora Area) and due to that his service records were also transferred to the aforesaid colliery. Further he was transferred to Moonidih Coal Washery in the same year. The management of Kessargarh colliery sent the L.P.C. and service file to Moonidih Coal Washery and based on the said L.P.C. the date of birth of the concerned workman was recorded as 28 years in 1976 in all the records including the Form 'B' register of above Coal Wahery. Sri Yadav was issued Identity Card by the authority of Moonidih Coal Washery wherein his date of birth has been indicated as 28 years as on 1-1-1976. He had also filled up the service excerpt in 1987 wherein he has mentioned his date of birth as 1-1-1976 at the instance of the concerned authority of Moonidih Washery management, which was verified by the Dy. Personnel Manager of Moonidih Coal Washery. As per all the records of Moonidih Washery containing the date of birth of Jagdish Yadav he should retire on superannuation on 1-7-2008, but the Project Officer, Moonidih Coal Washery in a very arbitrary and whimsical manner issued an impugned order dated 3-6-2000 and Sri Yadav was stopped from work w.e.f. 1-7-2000 which was totally unjustified and not tenable. On his representation before the management against that illegal order, he was again allowed to resume his duty w.e.f. 15-12-2000 vide letter dated 15-12-2000 issued by the Project Officer, Moonidih Coal Washery. But to utter surprise, it was seen that the management has in a most unreasonable manner changed the date of birth of Sri Yadav

as 31-1-45 and thereby the service of above workman has been reduced by three years. If the above date of birth is taken for granted as decided by the management, Sri Jagdish Yadav will retire on 31-1-2005 instead of 1-7-2008. In Form 'B' Register of Muraidih colliery the date of birth of Sri Yadav has been mentioned as 28 years in 1976 which was communicated to Kessargarh colliery and further to Moonidih Coal Washery after the transfer of Jagdish Yadav. The management has taken whimsical and arbitrary action for reducing the service of Sri Jagdish Yadav by three years and for that the management has not indicated any reasonable ground based on which it has arrived at such conclusion. The action of the management is totally illegal, arbitrary, unjustified and bad in law.

It has been prayed before this Hon'ble Tribunal to answer the reference in favour of the union and the workman as the action of the management of Moonidih Coal Washery of Western Washery Zone in changing the date of birth of the concerned workman from 1-7-1948 to 31-1-1945 is erroneous and arbitrary and pass an award directing the employer to accept the date of birth of Jagdish Yadav as 1-7-48 and reinstate him with full back wages.

3. The management has filed written statement stating that the date of birth and other particulars of the workman of M/s. BCCL have been computerised and according to the record NEIS EDP, Koyla Bhawan the date of birth of the workman concerned is 1-7-40. According to the aforesaid date of birth the workman concerned is entitled for retirement w.e.f. 1-7-2000. After receiving the information from the Headquarters the management issued a notice of superannuation to workman concerned w.e.f. 1-7-2000 and after receiving the notice of superannuation the concerned workman raised an objection regarding his date of birth recorded in NEIS EDP Section, Koyla Bhawan. After receiving the objection from the workman concerned the management examined all the relevant documents in respect of the workman concerned and found that at the time of appointment his date of birth was not recorded. The workman concerned was transferred from original place and the management examined all the documents and found that the date of birth of the concerned workman was recorded in Form 'B' Register of Muraidih Colliery as 31-1-1945. After considering the representation of the workman concerned and Form 'B' Register of Muraidih Colliery the date of birth committee accepted the date of birth of the workman concerned as 31-1-1945 and accordingly his date of birth was corrected in all relevant documents as 31-1-1945. After correction of the date of birth of the concerned workman from 1-7-40 to 31-1-1945, he was allowed to resume his duty.

It has been prayed before this Tribunal to pass an award holding that the action of the management is legal and justified and the concerned workman is not entitled to any relief.

4. Both the parties have filed their respective rejoinders admitting and denying the contents of some of the paragraphs of each other's written statement.

5. The management has produced MW-1—Ramjee Singh and he has stated in examination-in-chief that—"At present I am working as Personnel Manager in Muraidih Colliery. The concerned workman was also working in that colliery. He was appointed in that colliery in the year 1973, Form 'B' Register was being maintained at Muraidih Colliery. The original Form 'B' Register of Muraidih colliery has been misplaced in the year 1978. This is the xerox copy of that Form 'B' Register. The name of the concerned workman, Jagdish Yadav finds place in Sl. No. 846. As per this register his age has been recorded as 28 years in the year 1976. "He has proved Form 'B' which has been marked 'X' for identification."

The concerned workman has produced himself, who has stated in examination-in-chief that he was initially an employee of a Raising Contractor of Muraidih colliery. Later on, Muraidih Colliery was nationalised in the year 1973 and merged with BCCL. At the time of nationalisation of Coal Mines in 1973 his service was also taken over along with others and become employee of M/s. BCCL on and from 31-1-73. At the time of take over his age was not recorded in any official record. In the year 1976 his age was assessed along with other co-workers by the competent authorities and it was determined 28 years in 1976. He further stated that his determined age was recorded in all official records of Muraidih Colliery. In the year 1981 he was transferred to Kasergarh Colliery and subsequently to Moonidih Coal Washery. On the basis of L.P.C. sent by his previous place of posting the management of Moonidih Coal Washery recorded in their all official records his age as 28 years as on 1-1-1976. Accordingly, the management had issued him service. At the time of his promotion the management of Moonidih Coal Washery issued him letter dated 10/14-7-2004 whereby and whereunder his age is shown as 1-1-1948. His prayer is for reinstatement in service from the date of his illegal stoppage with back wages and other fringe and consequential benefits.

6. Main argument advanced on behalf of the concerned workman is that his date of birth, as per Company's Act, is 15-1-1976 because his age has been assessed by the management in his Form 'B' Register, which is marked 'X' for identification, is 28 years in the year 1976. It has been argued that he was employed at Muraidih Colliery and later on he was transferred to Moonidih Coal Washery and the date of birth of the concerned workman had been recorded in all the records as 28 years as on 1-1-96. Service excerpt has been issued to him by the Moonidih Coal Washery in the year 1987, marked Ext. W-2 and Identity Card which has also been issued shows his age as 28 years as on 1-1-1976 i.e. 1-1-1948, Ext. W-3. He was upgraded under the provision of S.L.U. vide office

order dated 21-11-2003 issued under the signature of Dy. C.P.M., Moonidih Coal Washery (Ext. W-4). In the year 2004 a seniority list of Tyndal was published and circulated under the signature of Project Officer, Moonidih Coal Washery by office order No. BCCL/PD/Seniority list/Moonidih Coal Washery prayer/2004/735 dated 14-7-2004 wherein the date of birth of the concerned workman has been shown as 1-1-1948 at serial No. 9 (Ext. W-5). The officer of Moonidih Coal Washery in his letter No. BCCL/PD/Moonidih Coal Washery/2004/3060 dated 21-12-2004 addressed to Dy. Chief Personnel Manager, Western Washery Zone, Mohuda has clearly stated that in their statutory record the date of birth of the concerned workman in Form 'B' is recorded as 28 years on 15-1-1976, which means his date of birth is 15-1-1948 and considering the date of birth recorded in the statutory record the workman shall have been completing 60 years on 14-1-2008.

It has also been argued that the concerned workman was previously employed at Muraidih colliery and when he was transferred to Moonidih Coal Washery, the management Muraidih colliery had sent all the records of the concerned workman to Moonidih Coal Washery, but he has been superannuated three years earlier as per Ext. W-6. Ext. W-7 shows the family details of the concerned workman wherein it is shown that his elder brother, Ramchandra Yadav who was an employee of Moonidih Coal Washery had completed 60 years on 7-1-2006. Ext. W-8 which is a superannuation notice served to Ramchandra Yadav, elder brother of the concerned workman shows that the date of birth of Ramchandra Yadav is 1-1-1946. In that case also it cannot be said that his date of birth is 31-1-1945, it must be after 1946 because his elder brother has completed 60 years on 7-1-2006. The management's witness MW-1 has stated voluntarily that the age of the concerned workman has been recorded as 28 years in the year 1976 as per the Form 'B' of Muraidih Colliery which is shown at serial No. 846 and he was appointed in the year 1973. He has also produced Form 'B' before the court. As per the statutory record of initial appointment of the concerned workman his date of birth should be 1-7-1948 because it is decided in JBCCI clause implementation instruction 76 and as per Certified Standing Order applicable in M/s. BCCL that where exact date of birth is not available and the year of birth is only established then the 1st July of the said year shall be taken as the date of birth.

7. As per Form 'B' Register, which is a statutory record as per Mines Act, 1952, at the time of initial appointment of the concerned workman, his date of birth was recorded as 28 years in the year 1976 which means the year of birth of the workman is 1948 and as per guideline of the certified standing order and implementation instruction no. 76 of JBCCI the date of birth shall be treated as 1-7-48. It only shows that the concerned workman was superannuated in the year 2005 without considering his

date of birth as per Form 'B' Register when he was initially appointed. This action of the management is declared to be unjustified.

8. The management argued that as the concerned workman raised the issue at a late stage, so he referred 2008 (4) JJR 149 in which Hon'ble Supreme Court laid down that the dispute at late stage be not considered, if there is no variation in the record.

In the present case in all the records of the management the date of birth of the concerned workman has been mentioned on 1-7-1948. Apart from that Ext. W-7 family details of the concerned workman shows that his elder brother, who was an employee of Moonidih Coal Washery had completed 60 years on 1-1-2006 and Ext. W-8 which is a superannuation notice of his elder brother shows the date of birth of his elder brother, Ramchandra Yadav is 1-1-1946, as the date of birth of the concerned workman should not be in the year 1945 and it will be 1-7-1948 and not 1-7-1945.

9. In view of the discussions made above, I come to the conclusion that the action of the management of M/s. B.C.C. Ltd. in accepting the date of birth of the year 1945 instead of 1948 of Jagdish Yadav is not legal and justified. Therefore, the management is directed to accept the date of birth of the concerned workman as 1-7-1948 and accordingly pay full back wages and other consequential benefits of NCWA-VI, VII and VIII for the period between 1-2-2005 to 1-7-2008 as because he was illegally and arbitrarily stopped from duty w.e.f. 1-2-2005. The management is also directed to implement the award within 30 days from the date of award.

This is my award.

H. M. SINGH, Presiding Officer

नई दिल्ली, 9 सितम्बर, 2009

का. अ. 2790.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी. सी. सी. एल. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण / श्रम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 94/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-9-2009 को प्राप्त हुआ था।

[सं. एल-20012/505/2000-आई. आर. (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 9th September, 2009

S.O. 2790.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 94/2003) of the Central Government Industrial Tribunal/Labour Court No. 1, Dhanbad now as shown in the Annexure in

the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workman, which was received by the Central Government on 9-9-2009.

[No. L-20012/505/2000-IR (C-I)]  
SNEH LATA JAWAS, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference U/S. 10 (1) (d) (2A) of the Industrial Disputes Act, 1947

Reference No. 94 of 2003

Parties : Employers in relation to the management of Kustore Area of M/s. Bharat Coking Coal Ltd.

AND

Their Workmen

Present : Shri H. M. Singh, Presiding Officer

#### APPEARANCES

For the Employers : Shri D. K. Verma,  
Advocate.

For the Workmen : Shri D. Mukherjee,  
Advocate.

State : Jharkhand

Industry : Coal

Dated, the 27th August, 2009

#### AWARD

By Order No. L-20012/505/2000-IR(C-I) dated 22-8-2003 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-sec. (2A) of Section 10 of the Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal :

"Whether the demand of Janta Mazdoor Sangh from the management of Kustore Area for regularisation/permanent to Sri Ashok Ram and 29 others as per annexure is legal and justified? If so, what relief the concerned workmen are entitled and from which date?"

#### LIST OF WORKMEN

1. Shri Ashok Ram
2. Shri Paras Ram
3. Shambhu Prasad
4. Sanjay Kumar
5. Prem Chand Sahu
6. Upendra Kumar
7. Rajander Ram
8. Ram Kar Ram



9. N. Shambhu Ram
10. Ramashray Ram
11. Pradeep Kumar Joshi
12. Houlder Ram
13. Subedar Ram
14. Gurbari Ram
15. Rakesh Ram
16. Radhe Ram
17. Subachan Ram
18. Shri Ram
19. Rajinder Prasad Ram
20. Jai Shri Ram
21. Gudu Ram
22. Samaru Ram
23. Dharam Dev Ram
24. Om Prakash Ram
25. Dinesh Kumar Bharatiya
26. Jai Nath Yadav
27. Dharmendra Ram
28. Gauree Shankar
29. Sri Uma Shandar
30. Mohinder Ram

2. Written statement has been filed on behalf of the workmen stating that S/Shri Ashok Ram and 29 others concerned workmen had been working as permanent workmen at Alkusa Colliery since long with unblemished record of service. The concerned workmen has been working in permanent and perennial nature of job, such as, Tyndal, welder, broking etc. They were working in permanent nature of job continuously under the direct control and supervision of the management. They were rendering services and producing goods for the benefit of the management. All implements for execution for job were being supplied by the management. The management has implemented Wage Board Recommendation and National Coal Wage Agreement. They were performing the job within the precinct and premises of the mine and job which they were performing are permanent nature as per Wage Board Recommendation and NCWA and accordingly all the concerned workmen were entitled to receive wages and other benefits as per NCWA. The management with an mala fide intention to deprive the concerned workmen of their legitimate wages and other benefit was not maintaining statutory records regarding the concerned workmen and management used to disburse their wages for below the

prevailing rate of wages in the name of intermediaries. The disbursement of wages in the name of intermediaries was nothing but a legal camouflage. The concerned workmen approached before the management several times for their regularisation and wages as per NCWA but without any effect. The repeated insistence for regularisation had annoyed the management to the extent of terminating the services of the concerned workmen w.e.f. January, 1995 by stopping them from work without assigning any reason and without complying the mandatory provision of law. After exhausting all avenues for amicable settlement the union raised an industrial dispute regarding the concerned workmen which ended in failure. The Govt. rejected the dispute illegally and arbitrarily at the instance of the management. The illegal rejection order was challenged before the Hon'ble High Court and as per order of the Hon'ble Court the dispute has been referred to this Tribunal for adjudication. It has been stated that the demand of the concerned workmen for regularisation/permanent status in appropriate grade is legal and justified. It has been prayed before this Hon'ble Tribunal to answer the reference in favour of the workmen by directing the management to regularise the concerned workmen on being reinstated with retrospective effect with all arrear of wages.

3. Written statement has been filed on behalf of the management stating that the present reference is not legally maintainable. No employer and employee relationship exists between the management and the concerned workman. Mewa Singh was given a contract job for brief period during rainy season on account of some break-down of machineries for the purpose of transportation of parts of machineries and other materials from surface to underground and from underground to surface. The total working per year would be at best between 15 to 20 days. It has been stated that Mewa Singh was the contractor who was awarded the contract and he engaged his own men for doing the job of contract. The job which was awarded to Mewa Singh was purely casual and temporary in nature. The job entrusted to Sri Mewa Singh on the basis of work orders issued to him could be executed by engaging 7 to 9 workers only and at no point of time the strength of workmen would exceed ten in number. Mewa Singh approached the sponsoring union for induction into the services of the company some of his contract workers and some job seekers through litigation. Accordingly, the present purported dispute has been raised without any justification purely with some ulterior motive on some financial consideration only. Mewa Singh was never awarded any contract on any permanent nature of job and on perusal of the work it will reveal that the job could hardly take one to two days per work order. The contractor workers has got no existing right to get regularisation in the services of the company as held by Hon'ble Supreme Court. The Hon'ble Ministry declined to refer the industrial dispute vide letter dated 20-12-2000 mentioning the reason therein. Thereafter union filed writ

petition before the Hon'ble High Court, Ranchi Bench, Ranchi and the Hon'ble Court directed the Ministry to refer the dispute for adjudication. Accordingly, the present reference.

In rejoinder, the management has stated that Ashok Ram and 29 others were never engaged by the management in any kind of job. It has been stated that Mewa Singh was awarded contract for doing purely temporary and casual nature of job as per work order. The payments were made to Mewa Singh as per bills. The demand of the union for regularisation of Ashok Ram and 29 others is neither legal nor justified.

It has been prayed to hold that the demand of Janta Mazdoor Sangh from the management of Kustore Area for regularisation/permanent to Ashok Ram and 29 others is neither legal nor justified and, therefore, they are not entitled to any relief.

4. Rejoinder has been filed on behalf of the workmen stating therein almost the same facts as have been stated in the written statement of the workmen.

5. The management has produced MW-1 Ram Janam Singh, MW-2-Sukhdeo Yadav and MW-3-L. M. P. Sinha, who has proved Ext. M-1 series.

The concerned workmen have produced Ashok Ram, one of the concerned workmen, as WW-1, who has proved Ext. W-1.

6. The main argument advanced on behalf of the concerned workmen is that they had been working with the management and they had taken from the concerned workmen by camouflaging to deny employment. The management has argued that Mewa Singh and others who are members of Janta Mazdoor Sangh written statement and it has been argued that Mewa Singh was given a contract job for brief period during rainy season on account of some break down of machineries for purpose of transportation of parts of machineries and other materials from surface to underground and from underground to surface and the job was purely casual and temporary in nature.

7. On behalf of the management a bunch of documents have been filed and marked Ext. M-1 series which are noting sheets and bills for payment to the contractor, Mewa Singh which proves that Mewa Singh was a contractor for brief period and was awarded contract for rainy season. It has been argued by the management that they are contract labourers and they cannot be regularised and the management referred W. P. (L) No. 1021 of 2003 of Hon'ble Jharkhand High Court, Ranchi dated 30-4-2009 in which the Hon'ble Court set aside the order passed by the Tribunal for regularisation.

8. The management has referred (2007) 2 Supreme Court Cases (L & S) 258 in which Hon'ble Supreme Court

laid down—"Though industrial adjudicators' power to direct regularisation was not directly in issue in Umadevi (3), if the case is covered by the concept of regularisation, the same cannot be viewed differently only because it is before an industrial adjudicator—Concept of regularisation is clearly linked with Art. 14. If the fact situation is covered by para 45 of Umadevi (3) the industrial adjudicator can modify relief, but that does not dilute the observations made by Supreme Court in Umadevi (3) about regularisation—Even though the present case pre-dated Umadevi (3), there could not be a case for regularisation without there being an employer-employee relationship—respondent having been engaged on daily wages and not possessing the requisite qualifications, held, was not entitled to regularisation from any angle." The management also referred (2007) 2 Supreme Court Cases (L & S) 441 (Hindustan Aeronautics Ltd. Vs. Dan Bahadur Singh & Ors) in which Hon'ble Court held—"Daily-rated employee of—His status and rights—Held, not equable with that of a government servant—Hence, his claim to permanency has to be adjudged from a different angle—further held, in the absence of availability of a post, such an employee is not entitled to claim permanency or absorption as a regular employee—Government Servants Status and right of." Management referred (2007) S.C.C. I (L & S) 270 (Indian Drugs & Pharmaceuticals Ltd. Vs. Workmen, Indian Drugs & Pharmaceuticals Ltd.) in which Hon'ble Supreme Court laid—Public employment—Instrumentalities of State (government company)—Creation of posts, appointment in posts, regularisation, fixing of pay scales, continuation in service, promotions, etc.—Authorities competent to take decisions in respect of—Proper basis for such decisions—Impermissibility of deciding on basis of sympathy or compassion—Held, all the said functions are executive or legislative and it is highly improper for Judges to step into this sphere, except in a rare and exceptional case—The court cannot create a post where none exists, nor issue directions to absorb or regularise temporary employees, nor continue them in service, nor pay them salaries of regular employees, as there are purely executive or legislative functions—Supreme Court cannot arrogate to itself powers of the executive or legislative Judicial activism in this connection, deprecated—furthermore, such questions cannot be decided in court on basis of emotions and sympathies, but must be decided on legal principles—clarified, that directions given by Supreme Court in certain cases for regularisation of temporary or ad hoc employees without laying down any principle of law, did not lay down any precedent and had to be treated as directions given under Art. 142—situation of scarcity of jobs, and reasons therefor, posited—observed, jobs cannot be created by judicial orders, nor even by legislative or executive decisions—Jobs are created when the economy is rapidly expanding, which means when there is rapid industrialisation—Additional burden imposed on people at large to benefit a few. in case of state—created

employment, pointed out—public sector—state owned/operated corporations. Hon'ble court also held—“Regularisation can only be done in accordance with the rules and not dehors the rules—State Owned/Operated Corporations—Public Sector.” Management has also referred (2007) 1 Supreme Court Cases (L & S) 346—(Gangadhar Pillai Vs. Siemens Ltd.) in which Hon'ble Supreme Court—“Industrial Disputes Act, 1947—Ss. 25—T & 2 (ra) r/w Sch. V Part I Entry 10 and 2 (oo) (bb)—Employment of badlies, casual or temporary workmen and continuation for years in these categories—When amounts to unfair labour practice—Entirety of circumstances brought on record by the parties—Breaks in service if artificial when occasioned by the nature of the work—Object of giving temporary employment—Case if falls under Sec. 2 (oo) (bb)—Held, only because an employee has been engaged as a casual or temporary employee intermittently for a number of years, the same by itself would not imply that unfair labour practices have been resorted to—Determination of the question as to whether an unfair labour practice has been resorted to is essentially a question of fact—In present case, though there had been breaks in service, the same were not artificial ones—requirement to employ employees on a temporary basis is writ large on the face of the nature of projects undertaken by respondent company—period of employment of appellant has all along been commensurate with the period of work undertaken by respondent under the respective project contracts—Further, appellant was actually employed by each site office or respondent, which is a separate establishment—Lastly, appointment was given on terms that bring the case squarely within the terms of s. 2 (oo) (bb), wherein the term of the contract was fixed on basis of nature of job—In such circumstances, object of temporary employment was bonafide and not to deprive the appellant employee from benefit of a permanent status—Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practice.”

9. The learned counsel of the workmen argued that this case was referred to this Tribunal as per order of the Hon'ble Jharkhand High Court, Ranchi dated 8-6-2003 passed in W.P. (L) No. 6195 of 2002. It has been argued that the concerned workmen were the employees of the management and the management to camouflage the real issue deny them regularisation/permanency and terminated their service from January, 1995 due to their constant demand for regularisation. The management deny the relationship between the concerned workmen and the management also treat that the concerned workmen were engaged by the contractor. The concerned workmen had called for attendance register by a petition dated 29-7-05 and the workmen also called for statutory attendance register for the years 1992 to 1994. The management neither produced the called for documents nor has given any explanation. It shows that the concerned workmen are their

employees and they are denying verbally and the attendance register has been held up by the management. It has been stated that the concerned workmen submitted an affidavit that they have been working in permanent nature of job like, Tyndal since long under the direct control and supervision of the management.

10. It has been argued by the concerned workmen that non-possession of licence by the contractor U/s. 12 and non-possession of registration certificate by the management U/s. 9 of the Contract Labour (Regulation & Abolition) Act, 1970, WW-1—Ashok Ram—stated in para 12 of his evidence that Mewa Singh was neither possessing any licence nor the management was possessing any registration certificate. He was not cross-examined on that very point. It shows that the management has got no registration certificate and Mewa Singh no licence under Contract Labour (Regulation & Abolition) Act, 1970. In this respect management's witness, MW-1—Ram Janam Singh, stated in cross-examination—“I do not have any knowledge whether management procured registration certificate for engaging contractor. I have not seen the licence of Mewa Singh and we have not produced the same.” MW-2—Sukhdeo Yadav, stated in cross-examination—“I have not seen the licence and registration certificate.”

It has been argued that it is admitted position that the contractor not possessing licence and the management not possessing registration certificate. The workmen have referred 1993 Lab. I.C. 1323—(Secretary, Haryana State Electricity Board Vs. Suresh & Ors.)

11. Another argument advanced on behalf of the workmen that after the judgement of Uma Devi reported in 2006 Lab. I.C. 865, the workman can claim regularisation in the service of the company. In this respect the workmen referred 2008 AIR SCW page 3996—G. M., O. N. G. C., Shilchar Vs. O. N. G. C. Contractual-Workers Union in which Hon'ble Supreme Court held — “Regularisation of service—Contractual Workers—Disentitlement from claiming regularisation—Not inflexible rule—Workers appointed by ONGC initially through contractor—claim for regularisation—Reference to Tribunal—Finding of fact by Tribunal that workmen were employees of ONGC and not contract employees—Being employees of ONGC workmen would be entitled to all benefits available in that capacity, and issue of regularisation would pale into insignificance.” Hon'ble Court also held—“Pleadings of parties and evidence produced—Relevant for determining real scope of dispute—Wording of reference showing that dispute was as to regularisation of service of contractual workers—Pleadings however showing that core issue before Tribunal was with regard to status of workers as employees of principal employer—Award of Tribunal holding workers to be employees of principal employer and granting relief of regularisation—Not outside to

jurisdiction.” The learned counsel of the workmen referred another judgement of Hon’ble Court reported in 2007 AIR SCW page 6904—(U.P. State Electricity Board Vs. Poonam Chandra Pandey & Ors.) in which Uma Devi’s case has been considered in which the Hon’ble Supreme Court held—“Regularisation of service—Petitioners were daily wage employees of Co-operative Electric Supply Society—Society was taken over by Electricity Board—Pursuant to proceeding by Minister of Co-operative, petitioners’ services were taken over by Board ‘in the name manner and position’—Earlier, Electricity Board had taken decision to regularise services of its daily wage employees who were working from before 4-5-1990—since petitioners’ were appointed in society before 4-5-1990, they cannot be denied benefit of decision of Board permitting regularisation—Moreover, when they had put in about 22 years of service.”

The workmen also referred 2009 (120) FLR 143—(Kanpur State Electricity Supply Co. Ltd. Vs. Samin Mirza) in which Hon’ble Supreme Court held—“Service—Termination—Validity—Contention of appellant that there was no employer employee relationship between the appellant and the respondents—On basis of documents submitted by the workmen and for lack of proper rebuttal to such documents there was no ground to presume that workmen were employees of the contractor—In fact they were in regular employment of appellant as cashiers having worked more than 240 days—Tribunal rightly concluded that termination of service of respondents without notice and payment of compensation was illegal.” They also referred 2008 LLR 509 (SC)—(Hindalco Industries Ltd. Vs. Association of Engineering Workers) in which Hon’ble Supreme Court held—

“A. CANTEEN WORKERS THROUGH CONTRACTOR—Absorption of—By the principal employer—When the canteen is required to be run under Section 46 of the Factories Act, 1948—There were 27 canteen workers working for many years through the contractors who were changing but the workers remained the same—Complaint for unfair labour practice on behalf of canteen workers accepted by the Industrial Court—High Court confirmed the order since the canteen has been a part of establishment of the management and the workers in canteen were carrying on the work which was of perennial nature—Canteen has been incidental to and connected with the work of establishment of the Management—Though treating the workers as contract employees contrary to the statutory obligation and the judicial pronouncement of the Apex Court—Management filing appeal before the Supreme Court—Relying upon the judgement of 3 Judges bench in Petrochemical Corporation Limited & Ors with identical facts held that the fact is that the canteen in establishment of the Appellant—Management is a statutory canteen—The respondents—workmen are in fact workmen of the Appellant—Management.

B. RELATIONSHIP OF EMPLOYER AND EMPLOYEE—The decisive factor for determination of—Control and supervision by the principal employer—Absorption of workers working in statutory canteen through contractor—When the Management is employing more than 250 workers—Factories Act, 1948—Section 2(I), ‘Worker’—Management engaging contractor for running the canteen since 1971—Contractors were changing from time to time—Last two contractors running the canteen since more than 14 years each but the employees remained the same—The Appellant—Management was providing premises, furniture, fuel, gas, electricity, water and laid down several procedures as to how food items to be supplied—Industrial Court has rightly held that the wages and the provident fund contributions were reimbursed by the Appellant—Management and the evidence revealed that the contract has been nothing but only a paper arrangement. The material as placed showed that though the canteen was run by the contractor but ultimate control and supervision has been by the Company—Directions issued to implement the decision dated 15-10-1998 within a period of three months.

C. MAHARASHTRA RECOGNITION OF TRADE UNIONS AND PREVENTION OF UNFAIR LABOUR PRACTICES ACT, 1971—Section 28—item 9 of Sch. IV—ULP Complaint—Respondent—Union filed a complaint of unfair labour practice on behalf of 27 canteen workers, against company claiming the said canteen workers to be employees of the company—sought that the canteen workers be given all the benefits as provided to other employees of the Company and to stop the said unfair labour practice—Industrial Court held it to be unfair labour practice committed by Management—Writ petition by Management dismissed—Writ Appeal also dismissed—Appeal in the Apex Court—The Apex Court upheld the decision of the Industrial Court which was confirmed by the High Court for the reasons—(i) canteen employees continued despite change of canteen contractors; (ii) evidence on record established the ultimate control of Management on the canteen employees; (iii) Industrial Court rightly decided, in view of evidence coupled with terms of agreement that canteen contract was only paper agreement; and rightly held that company has committed unfair labour practice; (iv) No error or infirmity in those conclusions of the Industrial Court which was affirmed by High Court.

D. CONTRACT LABOUR (REGULATION & ABOLITION), ACT, 1970 VIS-A-VIS MAHARASHTRA RECOGNITION OF TRADE UNIONS AND PREVENTION OF UNFAIR LABOUR PRACTICES ACT, 1971—Workers working through canteen contractor seeking absorption by the principal employer to be entitled to the same benefits—Plea of the principal employer that instead of complaint under the latter Act, the appropriate remedy for seeking redressal of grievances is under the former Act,



whereby it is to be resolved by the machinery as provided under the Industrial Disputes Act.—Untenable. “The workmen have referred a judgement of Division Bench of Calcutta High Court passed order of regularisation after considering the Uma Devi’s case, reported in 2008 (118) FLR 1176—(M/s. Eastern Coalfields Ltd. Vs. Central Govt. Industrial Tribunal) and the same view has also been approved by Jharkhand High Court reported in 2008 (3) JLR 109. The workman also filed a copy of the Award dated 3-10-96 passed by Central Govt. Industrial Tribunal No. 1, Dhanbad in Reference No. 58 of 1992 by directing the management of Swang Washery of M/s. C. C. Ltd. to regularise the contractor workmen, which has been confirmed by Single Bench and Division Bench of the Hon’ble High Court in CWJC No. 199/97 (R) dated 9-4-99 and L. P. A. No. 214/99 (R) dated 19-8-99 and the said judgement has been confirmed by the Constitution Bench of the Hon’ble Supreme Court reported in LLR 2001 page 961 between Steel Authority of India Ltd. Vs. National Union Water Front Workers at page 996 in paragraph 128. The workmen also referred for regularisation of workmen which is reported in SCLJ (6) page 3867—Basti Sugar Mills Ltd. Vs. Ram Ujagar. The learned counsel of the workmen argued that in Uma Devi’s case employer—employee relationship was not in dispute. It was the case of the Government that Uma Devi and others were casual employees of the Government and their appointment were illegal as Article 309 of the Constitution was not followed in appointing them. The Hon’ble Apex Court held that casual workmen who were illegally appointed were not to be regularised but irregular appointee should be regularised. In the present case the employer—employee relationship is in dispute and the Tribunal is to determine employer—employee relationship.”

12. Another argument advanced by the learned counsel of the workmen that the management’s witness, MW-1 admitted in cross-examination that the job of tyndal is permanent nature. The nature of job of welder and tyndal are given in Wage Board Recommendation. Under Sec. 48 of the Mines Act, attendance register is maintained in the colliery. He has not seen the attendance register of 1992 to 1994. He has no knowledge whether their names appear in the form ‘B’ Register. They were rendering services for the benefit of the management. MW-2 has admitted in cross-examination that—“I have no knowledge about the working of concerned workmen. Without the permission of the Mines Manager nobody is allowed to work in underground. I have not seen any tender paper submitted by Mewa Singh for execution of job. Contract is allotted through tender by BCCL. I have not seen any paper regarding engagement of Mewa Singh as contractor. I cannot say about demand.”

13. It has been argued on behalf workmen that the entire attempt of the management to deprive the workmen and the same is ruse and camouflage and the workmen are entitled for regularisation in view of the decisions of Hon’ble

Supreme Court reported in—(i) SCLJ (15) page 112—Hussainbhai Vs. Alath Factory, (ii) 1964 (II) LLJ page 633—D. C. Diwan Mohiuddin Saheb Vs. United Salt Workers, (iii) 2003 FLR 5 Mishra Dhatu Nigam Vs. M. Venkataiah & others, (iv) 2000 (87) FLR page 7—G. B. Pant University, (v) 2002 (93) FLR page 290—Indian Farmer Fertilizer Corporation Vs. Industrial Tribunal, (vi) 2003 (98) FLR page 826—Bharat Heavy Electricals Ltd. Vs. State of U.P.

14. It shows that as per evidence of the management, the concerned workmen are performing duties of permanent nature and without holding licence by Mewa Singh and without registration of the management for giving contract of such permanent nature of work, which shows that the management is camouflaging the real issue but they are taking work from the concerned workmen. Ext. W-1 shows the attendance of the concerned workman, though the concerned workman have demanded attendance register from the years 1992 to 1994, but the management has not filed it reasons best known to the management. They have not filed any registration certificate under Sec. 9A of the Contract Labour (Regulation & Abolition) Act, 1970 and under Sec. 12 of the Contract Labour (Regulation & Abolition) Act, 1970. The said contract letter has not been filed by the management regarding giving contract to Mewa Singh. As evidence produced by the management shows that, as per evidence of MW-1 in cross-examination at page 3, the duties of tyndal is to carry machineries from underground to surface and vice versa. The job of tyndal is permanent nature. The nature of job of welder and tyndal are given in Wage board Recommendation. Contract is given to the person who is in possession of licence under Contract Labour (Regulation & Abolition) Act. I do not have any knowledge whether management procure registration certificate for engaging contractor. I have not seen the licence of Mewa Singh and we have not produced the same. I have not seen the attendance registers from 1992 to 1994. The attendance register will show how many days they have worked. Form ‘B’ is maintained for company’s employees. I have no knowledge whether their names appear in Form ‘B’ Register. The underground work can be supervised only by the competent person. Whoever works in the underground works under the supervision of the competent person. The management provide cap lamp for going to the underground. They were rendering service for the benefit of the management.

MW-2 stated in cross-examination at page 2 that—“I have no knowledge about the working of the concerned workmen. I have not seen the licence and registration certificate. Overman and Sirdar look after the work in the underground mine. Without the permission of the Mines Manager nobody is allowed to work underground mines. The employees of BCCL get wages as per NCWA. I have not seen any tender papers submitted by Mewa Singh for execution of job. MW-3—L.M.P. Sinha, in cross-examination stated that—“I have not seen the order of

reference. I know the name of only Ashok Kumar and not the names of others. I have not seen the originals of Ext. M-1 series. I cannot say if the originals of Ext. M-1 series are available in the area office or not. Ext. M-1 series were not attested before me. The evidence of the management shows that the management has got no licence under Sec. 9 and Mewa Singh has got no licence under Sec. 12 of the Contract Labour (Regulation & Abolition) Act, 1970. The concerned workmen had been working in permanent and perennial nature of job under direct control and supervision of the management, but the management to deprive them from the benefit of regularisation treating them as contractor's workmen. So, the management has not filed attendance register for the years 1992 to December, 1994 though it was demanded by the concerned workmen to produce before the Tribunal. The management has not filed contract paper awarded to Mewa Singh. The work which is permanent in nature cannot be given to contractor.

15. In view of the discussions made above, I come to the conclusion that the demand of Janta Mazdoor Sangh from the management of Kustore Area for regularisation/permanent to Ashok Ram and 29 others, named in the order of reference, is legal and justified. Accordingly, the concerned workmen are entitled for regularisation w.e.f. 1-1-1995 with 50% back wages. The regularisation be done only after identification by the representative of the union. The management is directed to implement the award within 60 days from the date of publication of the award.

This is my award.

H. M. SINGH, Presiding Officer

नई दिल्ली, 9 सितम्बर, 2009

का. आ. 2791.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत ओवरसीज बैंक लिमिटेड के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, लखनऊ के पंचाट (संदर्भ संख्या 105/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-9-2009 को प्राप्त हुआ था।

[सं. एल-12012/202/98-आई आर (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 9th September, 2009

S.O. 2791.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 105/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the Industrial Dispute between the management of Bharat Overseas Bank Ltd. and their workman, received by the Central Government on 9-9-2009.

[No. L-12012/202/98-IR (B-I)]  
AJAY KUMAR, Desk Officer

## ANNEXURE

### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

Present : N.K. Purohit, Presiding Officer

L.D. No. 105/2000

Ref. No. L-12812/202/98-IR(B-I) dated 15-03-1999

#### BETWEEN

Shri R.K. Malviya,  
Sector-G, LIG-75,  
Jankipuram Sitapur Road,  
Lucknow (U.P.)-226001 ... Applicant

#### AND

The Chairman,  
Bharat Overseas Bank Ltd.,  
Habib Tower, Chennai-600001 ... Respondent

#### AWARD

Passed on 5-5-2009

1. By order No. L-12812/202/98-IR(B-I) dated : 15-03-1999 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub-section (1) and sub-section(2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between Sh. R.K. Malviya, Sector G, LIG-75, Jankipuram Sitapur Road, Lucknow and the Chairman, Bharat Overseas Bank Ltd., Habib Tower, Chennai for adjudication.

2. The reference under adjudication is :

"Whether the action of the management of Bharat Overseas Bank Ltd. was justified in discharging the services of Sh. R.K. Malviya Clerk-cum-Cashier w.e.f. 19-6-1995. If not to what relief is workman is entitled to?"

3. This factual position is almost undisputed that at the time of alleged misconduct by the workman, he was posted at branch office of the Bharat Overseas Bank Ltd. as Clerk-cum-Cashier. He was placed under suspension by the Chairman of the bank vide order dt. 11-2-94 for alleged misconduct and thereafter a charge sheet dt. 5-8-94 was issued against him and departmental enquiry was initiated against him. The enquiry officer after ex-parte enquiry found all charges in the said charge sheet as proved and the disciplinary authority after being issuing a show cause notice dt. 13-4-95 and after providing opportunity of personal hearing, finally imposed punishment of discharge from the services of the bank vide impugned order dt. 19-6-95. An appeal was preferred by the workman against the above order but the same was rejected which led the petitioner to raise this industrial dispute before the concerned authority. Failure of conciliation proceeding necessitated the appropriate Government to refer the matter for adjudication before this Tribunal. This is also not disputed that said Bharat Overseas Bank Ltd. has been amalgamated in the Indian Overseas Bank on 12-3-2007.

4. As per version of the workman in the averments made in the statement of claim, on 5-2-94 about 9.15 A.M. the workman reached at branch office Indra Nagar, Lucknow to seek help from Sh. A.K. Chaturvedi, Clerk (Union Leader) in the matter of registration of his house and by that time he had not reached the said office. Sh. Mohd. Bashir sub staff of the said branch office told him that he may help him in the said matter. Thereafter, Sh. Mohd. Bashir went inside the Cabin of the Manager of the branch office and when he came back told the workman that he may not help him in the matter as he would be going to Hazratganj Branch, meantime, Sh. Chaturvedi entered the branch and assured the workman to help in the said matter thereafter workman left the premises about 9.30 A.M., but as soon as, he was out of the main gate of the said branch, he heard a noise of breaking up window-panes of Manager's cabin and as a result of the said unexpected event, he could not move ahead and thereafter as soon, he started moving forward, he saw Sh. A.C. Bithal coming out of the branch, crying under the wrong perception as if the said act of breaking up of the window-panes being done by the workman when he protested and objected and requested him not to shout at him and upon, Sh. Bithal started using unparliamentary language against him. At about 9.40 A.M., the workman left the said place of incident ignoring Sh. Bithal, who was still furious against him with some abusive remarks.

5. The workman has questioned the fairness of the domestic enquiry on several grounds including holding ex-parte enquiry against him without giving opportunity for defence and findings are not based on the evidence, which have been mention in para 5 to 61 of the statement of claim and prayed that alleged charge sheet dt. 5-8-94 be declared as bad in law and impugned punishment order dt. 19-6-95 be set aside and direction be given to the opposite party to pay him arrears of full wages from the date of his suspension order.

6. As per management version in their written statement, the workman came to Indra Nagar branch on 5-2-94 at around 9.30 A.M. Sh. Mohd. Bashir Sub-staff sought Manager's permission to go out of the branch to do some personal work of the workman. The then Manager Sh. A.C. Bithal refusal to grant permission when the said Sh. Mohd. Bashir reported to the workman about the Manager refused to grant permission, the workman became wild and started shouting in the bank's hall in the presence of customers and staff members. On seeing this, the Manager came out of his cabin and requested him not to create any problem in the branch and instructed him to leave the branch premises. The workman went out of the branch and threw a stone at the Manager's cabin and damaged with window-panes of the cabin. It is further alleged that when Manager Sh. Bithal came out of the branch, the workman shouted and abused him in unparliamentary and obscene language and he also

threatened him with dire consequences in case of reporting matter to the head office and thereafter he left the premises. It is further stated that at about 4.00 P.M. on the same day the workman came to the branch and handed over a letter to the Manager confirming the above incident expressing regret for his misconduct for the said misbehavior. However, around 6.00 P.M. he came back to the Manager's cabin and took away his letter forcibly which was lying on the Manager's table.

7. In written statement the allegations of the workman regarding unfair enquiry and violation of principle of natural justice in conducting enquiry have been denied and it is alleged that averments made in the statement of claim are false and frivolous therefore, claim be rejected.

8. On the basis of the averments made in statement of claim and written statement following preliminary issues were framed on 10-1-2001 :

1. Whether the domestic enquiry is fair and proper?
2. Whether the domestic enquiry suffers with vice of perversity.

9. The then learned Presiding Officer of the Tribunal vide its order dt. 4-4-2001 found the enquiry unfair and defective and decide the aforesaid issues in favour of the workman and opportunity was given to the opposite party to prove the alleged charges against the workman before the Tribunal.

10. The management has examined Sh. S.K. Gaur the then Accountant and Sh. T.K. Shridhar the then Trainee Officer in the branch to prove the charges leveled against the workman whereas in rebuttal, the workman has examined himself as witness.

11. The management has also filed following documents in support of its case :

1. Copy of record reports (C-53)
2. Copy of cash memo of snaps dt. 5-2-94 (C-53/2)
3. Photographs (Two) (C-53/3 & C-53/4)

12. Heard the arguments advanced by both the sides and perused the written arguments submitted by the workman and scanned the oral and documentary evidence adduced by both the sides.

13. The workman has contended that the management has not examined the main witness Sh. A.C. Bithal on whose report departmental enquiry was initiated and who is said to be victim of alleged misconduct. The management has not proved the copies of record register dt. 5-2-94 of branch office of Indra Nagar C-53. Letter dt. 7-2-94 of Sh. A.C. Bithal, addressed to the Regional Manager & alleged confession letter dt. 5-2-94 said to have been given by the workman and they could not be relied on against the workman. In support of his contention he

has place reliance on M/s. Bareilly Electricity Supply Co. Ltd. Vs. AIR 1972 SC 330, 339 and CM Deshmukh Vs. Board of Trustee, Port of Bombay, 1995 Lab. I.C. page 1496 (Bom. HC).

14. The workman has also contended that out of listed 9 witnesses, the management has produced only 2 witnesses, and both of them have admitted in cross-examination that they did not go out-side the branch therefore, they have not seen the alleged incident of misconduct said to be occurred outside the branch. Whatever they have deposed is totally based on information given by Sh. A.C. Bithal, therefore, in absence of required testimony of Sh. A. C. Bithal, hearsay evidence of both the witnesses can not be relied. In this matter Sh. A.C. Bithal and Sh. Mohd. Bashir were the material witness as per alleged incident to whom the management unfairly and without assigning any reason withhold. Had the management been fair enough, introducing material witnesses, it could have been well established on their cross-examination that they do not support the charges or charge could be falsified by their evidence obtain on their cross examination. Denying the said opportunity to the workman is violation of principle of natural justice and adverse inference should be drawn for withholding material witnesses, against the management. In support of his contention he has relied on Broja Ballav Ghose V. Union of India, 1986 Lab. I.C. 1166 & Ganesh Rajan V. M/s. Bennet Coleman & Co. Ltd., 1989 Lab. I.C. 534.

15. Per contra, the learned representative on behalf of the opposite party has urged that charges leveled against the workman are well proved by evidence of witnesses Sh. S.K. Gaur and Sh. T.K. Shridhar which also find corroboration from documentary evidence, copy of register C-53 and photographs showing the broken window panes. Moreover, the workman was posted in other branch and he has admitted that at the time of incident he went to Indra Nagar branch for his own purpose. He has further argued that workman has admitted in his evidence that he had enmity with Sh. A.C. Bithal. The version of the workman that Sh. A.C. Bithal started shouting, is not believable. If incident did not take place and the workman did nothing then there was no reason to shout and abuse the workman. He has also argued that from the evidence of the workman also, it appears that some incident took place on the date and time alleged in the charges. He has further argued that the then Manager Sh. Bithal is retired therefore, has not been examined. He has furthermore argued that strict rule of evidence are not applicable in the matter of enquiries.

16. In support of his argument reliance has been placed on following case laws ;

1. (2006)2 SCC 255 TNCS Corpn. Ltd. & Others vs. K. Meerabai.
2. (2006)2 SCC 269 LK Verma vs HMT Ltd. and another.

3. (2006)2 SCC 584 South Bengal State Transport Corpn. Vs. Sapan Kumar Mitra & Others.
4. (1977) 2 SCC 491 State of Haryana & Another Vs. Rattan Singh.
5. 2005 SCC (L&S) 407 Divisional Controller, KSRTC (NWKRTC) vs. A.T. Mane.
6. 2005 SCC (L&S) 412 Muriadih Colliery of Bharat Cooking Coal Ltd. vs. Bihar Colliery Kamgar Union.

17. Before embarking upon the merit of the case on the basis of evidence of both the sides, it would be proper to go through the case laws cited relating to appreciation of the evidence & applicability of the rules of Evidence Act in the matter of enquiries. In AIR 1972 SC 330 Hon'ble Apex Court has observed that though Evidence Act is not applicable to the industrial tribunals that does not mean that where issues are seriously contested and have to be established and proved, the requirements relating to proof can be dispensed with. In 1995 LAB. I.C. 1496 Hon'ble Bom. H.C. has observed that hearsay or indirect evidence can not take the place of conclusive evidence in the absence of any other substantive evidence. In regard to the charge against the petitioner, the proof of truthfulness of the hearsay evidence cannot be dispensed with in a domestic enquiry. The basic rule governing domestic enquiry requires that no order entailing penal consequence can be made on the basis of ex-parte statements of witnesses or hearsay evidence. In 2006(2) SCC 584 cited by the learned representative of the management Hon'ble Apex Court has observed that strict proof of legal evidence and findings thereon, not necessary. In 1977(2) SCC 491 Hon'ble Apex Court has held that in a domestic enquiry all the strict and sophisticated rules of the Evidence Act may not apply. All materials which are logically probative for a prudent man are permissible, though departmental authorities and Administrative Tribunals must be careful in evaluating such material and should not be glibly swallow what is strictly speaking not relevant under the Evidence Act. The essence of judicial approach is objectivity, exclusion of extraneous materials or considerations, and observance of rules of natural justice.

18. In view of above legal position it is not disputed that in domestic enquiry strict rules of Evidence Act are not applicable and strict proof of legal evidence is not required but at the same time it does not mean where issues are seriously contested and have to be established and proved, the requirements relating to proof can be dispensed with. The evidence on record is to be evaluated in the light of above legal position.

19. It is pertinent to mention that since the preliminary issues framed in this matter have been decided in favour of the workman and enquiry conducted against the workman has been held as unfair and not proper, there



is no need to go into the merit of the various grounds taken in the statement of claim in this regard. It is also pertinent to mention that evidence recorded during the domestic enquiry and evidence adduced by both the parties in regard to preliminary issues is not to be considered to prove the charges of alleged misconduct against the workman in the light of following principle laid down by Hon'ble Apex Court in *Neeta Kaplish Vs Presiding Officer, Labour Court and another* 1999 SCC (L&S) 302.

"In all cases where enquiry has not been held or the enquiry has been found to be defective labour court/tribunal can call upon the management or the employer to justify action taken against the workman and to show by fresh evidence that the termination or dismissal order was proper. If management does not lead any evidence by availing of this opportunity, it cannot raise any grouse any subsequent stage that it should have been given that opportunity, as the Tribunal, in those circumstances, would be justified in passing an award in favour of the workman. If however, opportunity is availed of and evidence is adduced by the management, validity of action taken by it has to be scrutinized and adjudicated on the basis of such fresh evidence."

20. In the light of the above legal proposition the management was to adduce fresh evidence to prove the alleged misconduct against the workman. Now it is to be considered as to whether on the basis of material on record under Section 11A of the I.D. Act as envisaged in the said case law, the management has succeeded to prove the charges leveled against the workman.

21. Indisputably, the workman was charge sheeted on 5-8-94 on the following charges :

**Charge No. 1 :** You have damaged the windowpanes of the Manager's cabin by throwing a stone, which is a gross misconduct as per para No. 19.5(C) of the Bipartite Settlement dt. 19-10-1966.

**Charge No. 2 :** Your action of shouting and abusing the Manager in unparliamentary and obscene language and threatening him with dire consequences is an act of riotous, disorderly and indecent, behaviour, which is a gross misconduct as per para No. 19.5 (C) of the Bipartite Settlement dt. 19-10-1966.

**Charge No. 3 :** By your action of shouting, using abusive/obscene language against the Manager Sh. A.C. Bithal and behaving in a riotous, disorderly and indecent behaviour, in front of customer, revenue auditors and staff members, you have tarnished the image and reputation of the bank and thereby you have acted in a manner prejudicial to the interest of the Bank which is a gross misconduct as per para No. 19.5(j) of the Bipartite Settlement dt. 19-10-1966.

22. Now, it is to be seen whether from the oral & documentary evidence adduced by the management, the charges leveled against the workman stand proved.

23. The management witness Sh. S.K. Gaur and Sh. T.K. Shridhar have stated in their statement on oath that on 5-2-94 they were present at the time of alleged incident in the Indra Nagar branch of the bank. Both the witnesses have stated in their affidavit that at about 9.15 A.M. Workman Sh. R.K. Malviya came to Indra Nagar branch and started talking with Sh. Mohd. Bashir who had entered in the cabin of the Branch Manager for permission to leave branch on account of some personal work of the workman. The then Manager Sh. Bithal refused permission for leaving the branch to Sh. Mohd. Bashir. The workman on coming to know about refusal started shouting and abusing the Manager Sh. Bithal where upon he came out of his cabin and ask the workman to refrain from creating nuisance in the bank hall. Thereafter, the workman went out of the branch and threw a big stone on the window panes of the cabin of the Manager and on being asked by the Manager, the workman started abusing him. They have also stated that thereafter Branch Manager was also threatened that if matter is reported to the Head Office, the workman will take out his eyes. Subsequent to this incident Branch Manager Sh. Bithal recorded the incident in the record register which has been signed by both of them and others such as Sh. A.K. Srivastava, Sh. P.K. Sharma, Sh. B.P. Misra and Sh. Ajay Yadav.

24. In rebuttal, the workman has stated that his posting was at Hazratganj main branch. He has admitted that on 5-2-94 he went to Indra Nagar branch at 9.15 A.M. to meet Sh. A.K. Chaturvedi, Union Leader regarding registry of his house but he was not there. In his examination-in-chief the workman has reiterated his averments made in the statement of claim regarding alleged incident. He has denied all the alleged charges against him. He has also denied the allegations that he gave any letter to the Manager, which was later on forcibly snatched by him. In cross examination, he has stated that since his posting at Gorakhpur, Sh. A.C. Bithal has enmity with him but admitted that said fact is not mentioned in his reply to the charge sheet. He has also denied this fact that Sh. Mohd. Bashir sought permission from the Manager regarding his work. He has also stated that as per his knowledge Sh. Bithal has left the services of Bharat Overseas Bank Ltd. He has denied his signature on the photo copy of alleged letter dt. 5-2-94 written to the Manager of the Branch for regret (document No. 6/2).

#### 25. Charge No. 1

In charge No. 1 it was to be proved by the management that the workman had damaged the window panes of the Manager's cabin by throwing a stone. To prove the said charge, the management has examined witnesses Sh. S.K. Gaur & Sh. T.K. Shridhar and in support of their

oral evidence produced a photo copy of the Bill of snaps (C-53/2) & two photographs (C-53/3 & C-53/4). As per management version when the Manager Sh. Bithal came out of his cabin and requested the workman not to create any problem in the branch and instructed him to leave the banks premises, the workman went out of the branch & threw a stone at Manager's cabin and damaged the window panes of the cabin. Thus it is admitted case of the management that incident of alleged stone throwing took place outside the branch. The witnesses Sh. S.K. Gaur & Sh. T.K. Shridhar have been produced as eye witnesses of the said incident but both of them have stated in their cross examination that only manager Sh. Bithal went outside the branch. Sh. S.K. Gaur has stated that he came to know about the said incident from Sh. Bithal, Manager. Similarly Sh. T.K. Shridhar has also stated that he himself did not go outside the branch at the time of incident. It is evident from their above statements in cross examination that their evidence is only hearsay & they did not see the workman throwing stone on Manager's cabin.

26. As regard photocopy of bill of the snaps and two photographs is concerned, they have not been proved by examining the photographer. Even, if window panes of the cabin of the Manager were found broken up as shown in the said photograph, in absence of any direct evidence, no inference can be drawn that window panes were broken by the workman.

27. The workman has categorically denied the alleged charge No. 1. In view of his defence, it was imperative on the part of the management to have examine the Manager Sh. Bithal. He would have been the best person to depose as to who actually damaged the window panes of his cabin. It has not been explained why Sh. Bithal evidence was withheld. There is no reason why an adverse inference should not be drawn against the management that had the management examined Sh. Bithal, Manager, before the Tribunal his evidence would have perhaps not established that window panes was actually damaged by the workman.

28. The learned representative on behalf of the management has contended that from circumstantial evidence and admitted facts by the workman, it is evident that alleged incident has occurred. It is admitted case of the workman that his posting was at Hazratganj branch, Lucknow and on the date and time of alleged incident, he was present in the Indra Nagar, branch and he went there for his personal work. Photographs produced by the management side show that window panes of the cabin of the Branch Manager were found broken. Above circumstantial evidence corroborates the management's version for alleged misconduct. Moreover, the workman himself has regretted in writing for the alleged misconduct. In this regard he has place reliance on (2006)2 SCC 269 & (2005)2 (L&S) SCC 407.

29. I have given my thoughtful consideration on the above contention and cited case laws. In (2006)2 SCC

269 besides admission of abusing an officer in filthy language for the delinquent employee, witnesses were examined for proving charges and on facts of the case Hon'ble Apex court has observed that things admitted not to be proved. But in instant case, the workman has not admitted the alleged misconduct. The alleged regret letter said to be given by the workman is not on the record and as per version of the management after submitting the alleged regret letter subsequently the same was forcibly taken away by the workman from Branch Manager Sh. Bithal. But as stated earlier Sh. Bithal has not examined by the management. The other witnesses have not stated anything about such letter of regret. The workman has denied his signature during the cross examination on the document no. 6/2 said to be the copy of the alleged letter of regret. This legal position is not disputed that fact admitted are not required to be proved but in present case the management has fail to establish that the workman ever admitted alleged misconduct. In (2005)2 SCC (L&S) 407 the Bus Conductor to be in possession of sum over and above amount equivalent to tickets issued by him and in excess of sum that bus conductor were permitted to carry besides this there was other material to establish misconduct therefore, in such circumstances Hon'ble Apex Court has observed that doctrine of Res ipsa loquitur (that the facts speak for themselves) is applicable on the facts of the case but in instant case facts are different. Merely, on the basis of presence of the workman in the branch on the date and time of alleged incident and photographs showing broken window-panes, it can not be said that facts speak themselves that window panes were broken by the workman. Therefore, contentions of the learned representative on behalf of the management are devoid of any force and not tenable.

30. Hence, in view of above discussions, it is difficult to conclude that the management proved the charge of misconduct alleged in charge no. 1.

#### Charge No. 2

31. In charge no. 2 the charge against the workman is that he shouted and abused to the branch manager Sh. Bithal in unparliamentary and obscene language and threaten him of dire consequences. In this regard the management has examined Sh. Gaur & Sh. Shridhar witnesses and produced photo copy of the record register (C-53).

32. Sh. Gaur & Sh. Shridhar have been produced as eye witnesses of the incident and they have also signed the record of register (C-53) wherein the alleged incident of misconduct was subsequently said to be recorded by the Branch Manager Sh. Bithal on the same day i.e. 5-2-94. Both the above witnesses have deposed in their affidavit that the filthy abuses mentioned in their affidavit were given by the workman but during cross examination when confronted with the Copy of the record of register (C-53)

they have admitted that said filthy abuses have not been mentioned in the above register. Sh. S.K. Gaur has stated that mentioning of said abuses might have been omitted in haste.

33. It is admitted case of the management in charge sheet itself that said incident of alleged filthy abuses & threatening of dire consequences occurred outside the branch whereas contrary to above version of the management, Sh. S.K. Gaur witness has stated in his cross examination that alleged threat for direct consequences was given by the workman in the hall situated inside the branch. He has also stated that he did not go outside the branch at the time of alleged misconduct therefore, his testimony is not credible. Second witness Sh. T.K. Shridhar the then trainee officer in the branch, has also admitted in his cross examination that he has not witness the incident which took place outside the branch. Thus in the evidence of management witnesses and facts mentioned in the charge sheet there is inconsistencies and material contradictions on the points of place of alleged incident.

34. The management has produced a photo copy of register of record (C-53). The original register of record (C-53) has not been produced. The workman has denied the alleged misconduct. He has also denied that any letter of regret was ever given by him to the said branch manager. There is no oral evidence on this point that any letter of regret was given by the workman, which allegedly he took away forcibly from the branch manager. In this regard mere pleadings are no substitute of proof. In such circumstances, the real witness who could have proved alleged misconduct was branch manager himself. Though this fact has come on record that he is not in service but it is not the case of the management that said witness was not traceable. It reveal from the proceedings of the case that despite request of the workman, the management has not produced the said witness for reason best known to it. Had the management being fair enough to examine him in support of alleged misconduct against him, it could have been established in cross examination that charge is fabricated by the evidence obtained in cross examination from him. Examination of the Branch Manager Sh. Bithal would have revealed whether the complaint made by him in the register of record (C-53) was correct or not and to establish that he was the best person to speak to its veracity. In 1956 Lab. I.C. 1166, Hon'ble Calcutta High Court has observed that there was a fundamental breach of principle of natural justice when real witness who could have either proved or disproved the charge were held back from the enquiry though proposed to be examined and the Vigilance Inspector was made and lead evidence not on his own but on his information alleged to have been derived from those persons. This is a clear case of breach of the said principle because had the prosecution being fair enough to examine those witnesses it could have been well established in cross examination that either they do not support charge

or the charge is falsified by the evidence obtained in cross examination from those witnesses. In 2000 SCC (L&S) 85 a police constable charged of having abused his colleague while he was under the influence of liquor. However, neither complainant nor the other employee who accompanied the applicant to hospital for medical examination were examined. In such circumstances Hon'ble Apex Court has observed as under :—

“the sole ground urged is as to the non-observance of the principles of natural justice in not examining the complainant, Sh. Virender Singh and witness Jagdish Ram. The Tribunal as well as the High Court have brushed aside the grievance made by the appellant that the non-examination of those two persons has prejudiced his case. Examination of these two witnesses would have revealed as to whether the complaint made by Virender Singh was correct or not and to establish that he was the best person to speak to its veracity. So also Jagdish Ram who accompanied the appellant to the hospital for medical examination, would have been an important witness to prove the state or the condition of the appellant. We do not think the Tribunal and the High Court were justified in thinking that non-examination of these two persons could not be material. In these circumstances, were of the view that the High Court and the Tribunal erred in not attaching importance to this contention of the appellant.”

In the light of the above observations withholding material witness Sh. A. C. Bithal, Branch Manager is fatal for the management and it has caused prejudice to the workman and adverse inference could be drawn against the management for withholding material witness who was complainant and said to be the victim of alleged misconduct.

### Charge No. 3

35. In view of the aforesaid discussions, the management has also failed to prove charge no. 2 against the workman. As regards charge no. 3 the allegation of misconduct in charge no. 3 and charge no. 2 are similar except that in charge no. 3. It is also mentioned that since incident alleged in charge no. 2 occurred in front of the customers, auditors and staff members, the workman has tarnished the image of the bank. Since the charge no. 2 is not proved, therefore, on the basis of the findings of charge no. 2, charge no. 3 also stands not proved.

36. Since the management has failed to prove all the 3 charges leveled against the workman for his alleged misconduct, resultantly, the workman deserves to be exonerated from all the charges and action of the management discharging the workman from his service w.e.f. 19-5-95 can not said to be justified. Thus, the workman is entitled for reinstatement in service.

37. In regard to back wages it is pertinent to mention that workman was discharged from service in the year 1995 and reference has been made in the year 1999. The reference under adjudication is pending for last 10 years and it reveals from the perusal of the order sheets of the proceedings of the case that the workman had moved number of applications time and again including two applications for transferring the present reference to some other Tribunal. It also reveal from the perusal of various order sheets of the proceedings of the case particularly dated 22-6-04, 21-7-04, 20-03-06 and 15-05-08 that the workman himself has linger on the proceedings unnecessarily.

38. The initial burden to prove that after discharging him from service, the workman did not remain in gainful employment was on the workman. In this regard workman has stated on oath that he is handicapped and his wife had cancer and she ultimately died during this period and he has remained out of job. He has also stated that his relatives have been helping him and he did not remain in gainful employment. In rebuttal, there is no evidence of the managements. Admittedly, the workman was initially appointed as Peon in the year 1980 and promoted as Clerk-cum-Cashier in the year 1990. Keeping in view the considerable period of services rendered by the workman and his age, having regard to entire facts and circumstances of the case the interest of justice would subserved by awarding 50% back wages only.

39. Accordingly, the reference is adjudicated in favour of the workman to this extent that he is entitled for reinstatement with 50% back wages, the payment shall be made within 8 weeks from the date of publication of the award failing which it shall carry interest @ 8% p.a.

40. Award as above.

N.K. PUROHIT, Presiding Officer

Lucknow :  
05-05-2009

नई दिल्ली, 14 सितम्बर, 2009

का. आ. 2792.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेटलाइट अर्थ स्टेशन, बी.एस.एन.एल., सिकन्दराबाद के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, नई दिल्ली के पंचाट (संदर्भ संख्या 149/89) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-9-2009 को प्राप्त हुआ था।

[सं. एल-40012/1/88-डी-2 (बी)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 14th September, 2009

S.O. 2792.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 149/89)

of the Central Government Industrial Tribunal-cum-Labour Court No. 1, New Delhi as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Satellite Earth Station BSNL, Sikandrabad and their workman, which was received by the Central Government on 14-09-2009.

[No. L-40012/1/88-D-2 (B)]

SURENDRA SINGH, Desk Officer

#### ANNEXURE

BEFORE DR. R. K. YADAV, PRESIDING OFFICER,  
CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-  
LABOUR COURT, NO. 1, NEW DELHI,  
KARKARDOOMA COURT COMPLEX, DELHI

L.D. No. 149/89

Shri Ram Singh,  
S/o Shri Shankar,  
R/o. Village Khaguawas,  
P.O. Sikandrabad, Dist.  
Bulandshahar, U.P.

... Workman

Versus

The Divisional Engineer,  
Satellite Earth Station,  
Bharat Sanchar Nigam Limited,  
Sikandrabad,  
Bulandshahar, U.P.

... Management

#### AWARD

Obsession of the Tribunal led it to conclude that erstwhile Telecom Satellite Maintenance Earth Station, Sikandrabad, was not an Industry. Accordingly an award was passed on 1st of December, 1997, declaring therein that reference under Section 10 of the Industrial Disputes Act, 1947 (in short the Act) was incompetent. Parties were directed to approach the appropriate Government or forum for redressal of their grievance. The award, so passed, was assailed before the High Court of Delhi. The Hon'ble High Court concluded that the management was Industry, relying the precedent laid by the Apex Court in Srinivas Rao (1998 L.I.C. 883) and the award was set aside. The matter was remitted back to this Tribunal for adjudication. Parties were called upon to adduce their evidence. The projected that evidence has already been led by them. They opted not to adduce any other evidence. For adjudication of the dispute, the facts gain importance,

2. As borne out of the record, Ram Singh was employed with the management on 17th of May, 1983. He worked with them for a period of more than three years. His services were dispensed with on 5-8-1986. He raised an industrial dispute before the Conciliation Officer. Since conciliation proceedings failed, the appropriate Government referred the dispute to this Tribunal for adjudication, vide

Order No. L-40012/1/88-D-2(B) dated 2-5-1989, with following terms :—

“Whether the action of the management of D.E.T. Satellite Maintenance, Satellite Earth Station, Sikandrabad (U.P.) in terminating the services of Shri Ram Singh Driver w.e.f. 5-8-1986 is justified? If not, to what relief the workman is entitled to?”

3. Claim statement was filed, wherein Ram Singh pleaded that he joined services of the management as driver on 17-5-1983 in the capacity of daily rated employee. He is an ex-serviceman. He was serving the management with diligence and sincerity. On 21st of May, 1986, Om Parkash, an employee of the management met with an accident, while performing his duties. He was removed to a hospital where he succumbed to his injury on 26-5-1986. No compensation was given to his dependents. As such he expressed sympathetic views in favour of the deceased employee. It annoyed the management. His services were terminated on 5-8-1986, without any notice or pay in lieu thereof. Retrenchment compensation was not paid. Though he was employed as a daily rated workman yet he was performing functions of a driver, which was a job of permanent nature. Action of terminating his services is illegal and uncalled for. He seeks reinstatement of service with continuity and full back wages.

4. Contest was given to his claim by the management, pleading that Ram Singh was employed as daily wages mazdoor. Singh he was an ex-serviceman having valid driving licence, he was asked to drive station vehicle as and when required. His performance was not satisfactory. His controlling officer gave him warning in that regard. He apologized, after that warning. He was irresponsible towards his duties and caused an accident. He also asked for bribes, from motor workshop, where vehicle had gone for repair. Under these circumstances vehicle was withdrawn from him and he was given some work of daily rated mazdoor. Thereafter he stopped coming for his duties. His services were not terminated. During the course of conciliation proceedings, an offer was given to him to join job of daily rated mazdoor, which offer was not accepted by him. Position of a driver falls under group 'C' category while he was a daily rated mazdoor, which position falls under group "D". Position of a driver is to be filled by way of a test by Telecom District Manager Ghaziabad. The claim submitted by the workman is baseless and liable to be dismissed.

5. Workman tendered his affidavit in his evidence. He was cross-examined at length on behalf of the management. Ram Dass J.T.O. tendered his affidavit in evidence on behalf of the management. He too was cross-examined at length on behalf of the workman. No other witness was examined on behalf of the parties.

6. Arguments were heard at the bar. Shri Mukul Sharma A/R presented facts on behalf of the workman. Shri R. V. Sinha A/R advanced arguments on behalf on the

management. Written submissions were filed by the parties. I have given my careful consideration to the arguments advanced at the bar and cautiously perused the record. My findings on issues involved in the controversy are as follows :

7. Ram Singh swears that he was appointed as driver by the Satellite Earth Station, Sikandrabad, on 17-5-1983. Though he was appointed as a driver, yet he was paid his wages as daily rated mazdoor. His work was of high quality and to the satisfaction of his superiors. He had not given any cause of complaint to them. On 21st of May, 1986 at about 5 P.M. Divisional Engineer ordered Om Parkash to repair his personal telephone, by climbing on pole, Om Parkash was working on the pole. High tension electric line was going above that pole. He came in contact with high tension electric line, met with an accident and was seriously injured. He was removed to a hospital. When his condition deteriorated, he was removed to Delhi for treatment. Om Parkash expired on 26-5-1986. No compensation was paid to his dependents as such his wife also expired. He started having sympathy with the bereaved family, which fact annoyed the Divisional Engineer. On 5-8-1986 Divisional Engineer misbehaved with him and terminated his services. He approached the authorities for reinstatement of his services. Subsequently allegations were levelled on him to the effect that he had abandoned his job. During the course of his cross-examination he admits that letter Ex. M1 bears his signatures. He projects that when asked to resume his duty, he reported back to his duty. Instead of giving him job of a driver, he was asked to dig a pit and thereafter he was abused. As such he returned back.

8. Ram Dass swears in his affidavit that Ram Singh was engaged as a daily rated mazdoor. Since he was holding a driving licence, he was asked to drive vehicle as and when required. He was not discharging his duties properly and warned for his lapses. He apologized. He caused accident to the vehicle by his sheer negligence. He asked for bribery from Motor Repair Workshop, where the vehicle had gone for repairs. Since he failed to discharge duties of a driver, vehicle was withdrawn from him. He was asked to discharge other duties of a daily rated mazdoor. Ram Singh refused to perform those duties and stopped reporting for the duty. Post of driver is grade "C" post and can be filled by the District Manager, Ghaziabad, Divisional Engineer, Satellite Maintenance, Sikandrabad, had no authority to appoint any person as a driver. During the course of conciliation proceedings Ram Singh was offered a job but he refused to join his duties. During the course of his cross-examination he concedes that Ram Singh worked from 17-5-1983 to 5-8-1986. He projects that Ram Singh was treated as skilled labour and paid as such. He further concedes that no charge-sheet was ever served on him.

9. As testified by the workman and conceded by Shri Ram Dass, Ram Singh was appointed by the



management on 17-5-1983. He worked with the management upto 5-8-1986. It is not the case of the management that there was no continuity in the service rendered by Shri Ram Singh. Consequently it is emerging over the record that Ram Singh rendered a continuous service with the management for more than 3 years.

10. "Continuous Service" has been defined by Section 25B of the Act. Under sub-section (1) of the said section, "continuous service for a period" may comprise of two period viz. (i) uninterrupted service, and (ii) interrupted service on account of (a) sickness, (b) authorized leave, (c) an accident, (d) a strike which is not legal, (e) a lock-out, and (f) a cessation of work that is not due to any fault on the part of the workman, shall be included in the "continuous service." Sub-section (2) of the said section introduces a fiction to the effect that even if a workman is not in "continuous service" within the meaning of clause (1) for a period of one year or six months, he shall be deemed to in continuous service for that period under an employer if he has actually worked for the days specified in clauses (a) and (b) thereof. In *Vijay Kumar Majoo* (1968 Lab. I.C.1180) it was held that one year's period contemplated by sub-section (2) furnished a unit of measure and if during that unit of measure the period of service actually rendered by the workman is 240 days, then he can be considered to have rendered one year's continuous service for the purpose of the section. The idea is that if within a unit period of one year a person had put in at least 240 days of service, then he must get the benefit conferred by the Act. Consequently, an enquiry has to be made to find out whether the workman has actually worked for not less than 240 days during a period of 12 calendar months immediately preceding the retrenchment.

11. At the cost of replication, it is said that Ram Singh was retrenched on 5-8-1986. He was engaged by the management on 17-5-1983. Management nowhere claims that his service was interrupted for any reasons other than those detailed in sub-section (1) of Section 25B of the Act. He rendered more than 240 days continuous service during the period 12 calendar months immediately preceding the date of his retrenchment viz. 5th August, 1986. His case is covered within the definition of 'continuous service' as enacted in Section 25B of the Act. Therefore, it is appropriate to conclude that Ram Singh acquired status of an industrial employee, on rendering continuous service of three years with the management.

12. Ram Singh asserts that he was employed as a driver by the management. On the other hand Ram Dass projects that Ram Singh was employed as a daily rated mazdoor. He went on to depose that since Ram Singh was holding a driving licence, he was asked to drive the station vehicle as and when required. In his testimony he concedes that Ram Singh was treated as a skilled labour and paid for that category. Shri Sinha had to cut a sorry figure when he was questioned as to whether a daily rated mazdoor falls

under skilled category. Out of the facts projected by Ram Dass it is evident that Ram Singh was employed as skilled employee and was paid for that job. What type of skilled job was taken from Ram Singh, emerge out of the facts unfolded by Ram Dass. He projects that since Ram Singh was having a driving licence he was asked to drive the station vehicle. Job of a driver falls in skilled category. Ram Singh holds a valid driving licence and was asked to drive the station vehicle. Therefore, it is evident that though Ram Singh was employed as a daily rated mazdoor, yet job of a driver was taken from him. Not only that he was asked to drive station vehicle but he was paid for that job. Therefore, it is evident that Ram Singh was employed as a driver in the grab of employing him as a daily rated mazdoor. He performed functions of driver for more than 3 years.

13. Contention of the management that when Ram Singh was asked to perform job of a daily rated mazdoor then he stopped coming to his duties, is found to be devoid of reasons. When Ram Singh was employed as a driver, it was not within the competence of the management to ask him to perform job of a daily rated mazdoor. The management ought to have asked him to perform job of a skilled employee. Asking him to dig a pitch is to humiliate his labour. Therefore, Ram Singh was justified in refusing to perform work of a daily rated mazdoor, which was not of skilled category.

14. When Ram Singh refused to perform job of unskilled category, he was turned out of the job. He presents that he was abused and removed out of the service. It has not been projected by Ram Dass that Ram Singh sought voluntary retirement from service or he reached the age of superannuation and was made to retire. It was not the case that his services came to an end on non renewal of term of contract of employment. His services were not done away on the ground of his continued ill health. Consequently termination of his service amounts to retrenchment within the meaning of Section 2(oo) of the Act.

15. Ram Singh projects that his services were dispensed with abruptly on 5-8-1986. Shri Ram Dass nowhere presents that notice or pay in lieu thereof was given to Ram Singh while terminating his services. Retrenchment compensation was not paid to him. The management was under an obligation to pay him compensation for retrenchment and the time of retrenchment. Payment of retrenchment compensation is a condition precedent to a valid order of retrenchment. Precedents in *Bombay Union of Journalists* case [1964 (1) LLJ 351], *Adaishwar Lal* (1970 Lab. I.C. 936) and *B. M. Gupta* [1979 (1) LLJ 168] announce that subsequent payment of compensation cannot validate an invalid order of retrenchment. As retrenchment compensation was not paid to Ram Singh, consequently action of the management falls within the mischief of Section 25-F of the Act.

16. An attempt was made by the management to project that offer was given to Ram Singh to come on job

but he had not accepted it. Ram Singh presents that in pursuance of the said offer he reported for duty where he was asked to dig a pit. He was abused and as such he left. These facts get strength through the events presented by Ram Dass, who tried to unfold that Ram Singh had not performed job of a daily rated mazdoor. When a skilled employee is asked to perform job of daily rated mazdoor, it amounts to dishonour his work. Consequently action of the management is found to be unjustified. In that situation if the workman opts to leave the job it cannot be said that he abandoned the employment. Therefore, contention of the management is found to be uncalled for.

17. Services of the workman were retrenched without payment of notice pay, and retrenchment compensation. It is well settled that in a case of wrongful retrenchment, dismissal or discharge, the normal rule is to award reinstatement. But where a case falls in any of the exception to general rule, the industrial adjudicator has discretion to award reasonable and adequate compensation, in lieu of reinstatement. Section 11A of the Act vests the industrial adjudicator with discretionary jurisdiction to give 'such other relief to the workman' in lieu of discharge or dismissal as the circumstances of the case may require, where for some valid reasons it considers that reinstatement with or without conditions will not be fair or proper.

18. As deposed by the workman, he is an ex-serviceman. He joined Indian Army after attaining the age of majority, where he served for 15 days to get pension. Thereafter he got employment with the management, whom he served for more than three years. It is not the case of the workman that he joined services of the management soon after his retirement from Indian Army. Hence there was some gap of time in between, which was not been spelled by the workman. He was retrenched on 5th August, 1986. Therefore on the date of his retrenchment, age of Ram Singh comes to be above 37 years in all eventualities. Long 23 years have elapsed after his retrenchment. Calculation of above period make it clear that by now Ram Singh has reached the age of superannuation. Consequently, circumstances do not justify an order of reinstatement in service, with or without conditions, to be passed in favour of the workman.

19. Retrenchment of Ram Singh is held to be wrongful. Consequently, this Tribunal has to award compensation to the workman in lieu of his reinstatement. No definite yardstick for measuring the quantum of compensation is available. In S. S. Shetty [1957 (11) LLJ 696] the Apex Court indicated some relevant factors which an adjudicator has to take into account in computing compensation in lieu of reinstatement, in the following words :

"The industrial Tribunal would have to take into account the terms and conditions of employment, the tenure of service, the possibility of termination of the employment at the instance of either party, the

possibility of retrenchment by the employer or resignation or retirement by the workman and even of the employer himself ceasing to exist or of the workman being awarded various benefits including reinstatement under the terms of future awards by industrial Tribunal in the event of industrial disputes arising between the parties in future..... In computing the money value of the benefits of reinstatement, the industrial adjudicator would also have to take into account the present value of what his salary, benefits etc. would be till he attained the age of superannuation and the value of such benefits would have to be computed as from the date when such reinstatement was ordered under the terms of the award.

Having regard to the considerations detailed above, it is impossible to compute the money value of this benefit of reinstatement awarded to the appellant with mathematical exactitude and the best that any tribunal or court would do under the circumstances would be to make as correct as estimate as is possible bearing, of course in mind all the relevant factors pro and con."

20. A Divisional Bench of the Patna High Court in B. Choudhary Vs. Presiding Officer, Labour Court, Jamshedpur (1983) Lab. I, 1755 (1758) deduced certain guidelines which have to be borne in mind in determining the quantum of compensation viz. (i) the back wages receivable; (ii) compensation for deprivation of the job with future prospect and obtainability of alternative employment; (iii) employee's age; (iv) Length of service in the establishment; (v) capacity of the employer to pay and the nature of the employer's business; (vi) gainful employment in mitigation of damages; and (vii) circumstances leading to the disengagement and the past conduct. These factors are only illustrative and not exhaustive. In addition to the amount of compensation. It is also within the jurisdiction of the Tribunal to award interest on the amount determined as compensation. Furthermore, the rate of such interest is also in the discretion of the Tribunal. Reference can be made to *Tabesh Process, Shivakashi* (1989 Lab. I. C. 1887).

21. In *Assam Oil Co. Ltd.* [1960 (1) LLJ 587] the Apex Court took into account countervailing facts that the employer had paid certain sums to the workmen and her own earning in the alternative employment and ordered that "it would be fair and just to direct the appellant a substantial sum as compensation to her." In *Utkal Machinery Ltd.* [1966 (1) LLJ 398] the amount of compensation equivalent to two year salary of the employee awarded by the industrial Tribunal was reduced by the Supreme Court to an amount equivalent to one year salary of the employee in view of the fact that she had been in service with the employer only for 5 months and also took into consideration the unusual manner of her appointment at the instance of the Chief Minister of the State. In

A. K. Roy [1970 (1) LLJ 228] compensation equivalent to two years salary last drawn by the workmen was held to be fair and proper to meet the ends of justice. In Anil Kumar Chakarabarty [1962 (11) LLJ 483] the Court converted the award of reinstatement into compensation of a sum of Rs. 50,000 as just and fair compensation in full satisfaction of all his claims for wrongful dismissal from service. In O. P. Bhandari [1986 (11) LLJ 509]. The Apex Court observed that it was a fit case for grant of compensation in view of reinstatement. The Court awarded compensation equivalent to 3.33 years salary as reasonable. In M. K. Aggarwal (1988 Lab. I.C. 380), the Apex Court though confirmed the order of reinstatement yet restricted the back salary to 50% of what would otherwise be payable to the employee. In Yashveer Singh (1993 Lab. I.C. 44) the court directed payment of Rs. 75,000 in view of reinstatement with back wages. In Nabal Kishore [1984 (11) LLJ 473] the Apex Court observed that in view of the special circumstances of the case adequate compensation would be in the interest of the appellant. A sum of Rs. 2 lac was awarded as compensation in lieu of reinstatement. In Sant Raj [1985 (11) LLJ 19] a sum of Rs. 2 lac was awarded as compensation in lieu of reinstatement. In Chandu Lal (1985 Lab. I.C. 12225) a compensation of Rs. 2 lac by way of back wages in lieu of reinstatement was awarded. In Ras Bihari (1988 Lab. I.C. 107) a compensation of Rs. 65,000 was granted in lieu of reinstatement, since the employee was gainfully employed elsewhere. In V. V. Rao (1991 Lab. I.C. 1650) a compensation of Rs. 2.50 lac was awarded in lieu of reinstatement.

22. In view of above propositions, case of the workman is to be considered. Ram Singh was retrenched by the management on 5-8-1986. He was getting wages of a skilled employee. He was having more than 20 years of service at that time. These facts are to be taken into consideration while awarding compensation to the workmen. However, he was getting pension from the Indian Army, which fact is to be balanced. These facts tilt the scale in favour of the workmen. Neither the workmen nor the management had brought it over the record as to what were the minimum wages in state of U.P., payable to an skilled employee. However, more than 20 years of service which the workmen was to render is a yard stick which is to be reckoned. On the date of his retrenchment the workmen had rendered more than 3 years of service. The workmen had to fight for redressal of his grievances for more than two decades. Taking into account all these facts, it is ordered that the management shall pay five years of wages to the workmen to be reckoned on the basis of the minimum wages of a skilled employee, as prevalent in preceding five years on the date of the order. The amount of compensation shall be paid to the workmen within a period of one month from the date, when this award becomes enforceable. In the event of delay the management shall be under an obligation to pay interest @ 12% p.a. till the date of realization. The Award is accordingly passed.

Dr. R. K. YADAV, Presiding Officer

नई दिल्ली, 14 सितम्बर, 2009

का. आ. 2793.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 93/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-9-2009 को प्राप्त हुआ था।

[सं. एल-20012/424/99-आई.आर. (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 14th September, 2009

S.O. 2793.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 93/2000) of the Central Government Industrial Tribunal/Labour Court No. 1, Dhanbad now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of B.C.C.L. and their workman, which was received by the Central Government on 14-09-2009.

[No. L-20012/424/99-IR (C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL (NO. 1), DHANBAD**

In the matter of a reference under Section 10(1)(d) and  
(2A) of Industrial Disputes Act, 1947

Reference No. 93 of 2000

**PARTIES :**

Employers in relation to the management of Godhar  
Colliery of M/s. BCCL.

AND

Their Workman.

**PRESENT :**

Sri H. M. Singh, Presiding Officer

**APPEARANCES :**

For the Employers : Sri H. Nath, Advocate

For the Workman : None

State : Jharkhand

Industry : Coal

Dated, 31st August, 2009

**AWARD**

By order No. L-20012/424/99-IR (C-I), dated 2-2-2000  
the Central Government in the Ministry of Labour has. in



exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal.

"Whether the action of the management of Godhar Colliery of M/s. BCCL in not referring Shri Chotu Rajwar to appear before Medical Board for determination of his age is justified? If not, what relief the workman is entitled to?"

This reference case was received in this Tribunal on 23-2-2000. Thereafter notices were sent to the parties to file written statement by the sponsoring union/workman. In spite of notices sent by speed post, no written statement has been filed by the workman till 18-6-2009. It, therefore, appears that neither the concerned workman nor the sponsoring union is interested to contest the case.

In such circumstances, I render No Dispute Award in this reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 14 सितम्बर, 2009

का. अ. 2794.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टाटा आयरन एण्ड स्टील कम्पनी लि. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 197/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-9-2009 को प्राप्त हुआ था।

[सं. एल-20012/66/2000-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 14th September, 2009

S.O. 2794.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 197/2000) of the Central Government Industrial Tribunal/Labour Court No. 1, Dhanbad now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Tata Iron and Steel Company Ltd. and their workman, which was received by the Central Government on 14-9-2009.

[No. L-20012/66/2000-IR (C-1)]

SNEH LATA JAWAS, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 1), DHANBAD

#### PRESENT:

Shri H. M. Singh, Presiding Officer

In the matter of an Industrial Dispute under Section 10  
(1)(d) of I.D. Act, 1947

#### Reference No. 197 of 2000

#### PARTIES:

Employers in relation to the management of Bokaro Colliery of M/s. Tata Iron and Steel Company Ltd.,  
P.O. Ghatotand, Distt. Hazaribagh and their workman.

#### APPEARANCES:

On behalf of the workman : Mr. D. Mukherjee,  
Advocate

On behalf of the employers : Mr. D. K. Verma,  
Advocate

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 31st August, 2009

#### AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/66/2000-I.R. (C-1), dated the 29th June, 2000.

#### SCHEDULE

"Whether the action of the management of Bokaro Colliery of M/s. Tata Iron and Steel Company Ltd., P.O. Ghatotand Distt. Hazaribagh to dismiss the services of Smt. Meena Kumari Singh, Clerk Gr. III is legal and justified? If not, to what relief is the workman concerned entitled?"

2. The case of the concerned lady as disclosed in her Written Statement is that she was originally appointed on 4-7-1990 as Clerk Grade-III against land. Shri Chote Prasad Sahu and his co-sharer had executed an agreement to sell of land and they nominated the name of the concerned lady and she accordingly was appointed. The management issued another appointment letter dated 13-5-91 appointing the concerned lady as Clerk Grade-III for the reasons mentioned above. Since then she had been working as permanent Grade-III Clerk with unblemished record of service. Being satisfied with the performance of the concerned lady management promoted her to the post of Clerk Grade-II by order dated 18-12-1993. As she used to ventilate her own and other workman's grievances the management was very much biased and prejudiced against her. It has been alleged that the management with an ulterior motive to victimise her issued a false, frivolous and motivated charge-sheet dated 2-5-97. The allegation as levelled in the charge-sheet does not constitute any misconduct under the provision of the Standing Orders. The concerned lady was never appointed on the strength of any educational certificate which is evident from the appointment letter issued to her by the management. However, the concerned lady submitted her reply denying the charges emphatically. Though the reply submitted by the concerned lady was satisfactory enough till then the

management constituted an invalid and irregular departmental enquiry through a biased and prejudiced Enquiry Officer. It has been alleged that the charge-sheet issued to the concerned lady was issued by an unauthorised person. It has further been alleged that the enquiry proceeding conducted against the concerned lady was not held fairly and properly and the enquiry officer conducted the domestic enquiry in utter violation of the principle of natural justice. It has been alleged by the concerned lady that she was not given full opportunity to cross-examine the management's witness nor allowed to adduce her full evidence. It has further been alleged by her that though the charges against her was not established yet the management dismissed her from service. The concerned lady was dismissed by an order dated 9/12-3-1998 by the Dy. General Manager, West Bokaro Colliery. The management also issued another dismissal order dated 15-12-98 under the signature of General Manager, West Bokaro assigning the ground that the first dismissal order was kept in abeyance. The concerned lady has further alleged that she was not paid monthly wages and other attendant benefits for the period from 9/12-3-1998 to 15-12-98. Thereafter the concerned lady raised an industrial dispute before the ALC (C) Hazaribagh which resulted reference to this Tribunal for adjudication. It has been prayed on behalf of the concerned lady to pass an Award directing the management to reinstate her in service with full back wages and other consequential benefits from the date of her dismissal.

3. In the Written Statement filed on behalf of the management it has been stated that the present reference is not legally maintainable. The present reference is arising out of an individual dispute as no union sponsored the case of the concerned lady. They have further stated that the concerned lady was given appointment as temporary Clerk Grade-III at West Bokaro Colliery by appointment letter dated 29-6/4-7-1990. It was given in consideration of the fact that Sri Chote Prasad Sahu and his co-sharers executed an agreement for sale of 9.10 and 2.11 acres of rayati land to Khata No. 48 and 13 respectively of village Barughuttu and they nominated her name for employment. The aforesaid letter of employment was issued under the signature of Divisional Manager of West Bokaro Colliery. The concerned lady was given appointment against permanent vacant post of Clerk Grade-III on probation for a period of 6 months subject to confirm after observing satisfactory performance of her duties, by letter dated 5-4-/13-5-91. The aforesaid letter was also issued under the signature of the same officer who was working as Divisional Manager of West Bokaro Colliery.

It has further been submitted on behalf of the management that the concerned lady at the time of appointment submitted the Secondary School Certificate No. B 153565 having the Roll Code No. 1404 and Roll No. 02538 indicating that she has passed the matriculation

examination in the year 1977 from P. N. D. J. M. P. School, Ishri Bazar, Giridih. She has also put her signature on the service card declaring the above particulars. However, on verification it was observed that the aforesaid documents were not genuine and the same documents have been fabricated with the aim and object of obtaining an appointment on a clerical post for which minimum educational qualification is matriculation. The aforesaid document also indicated her date of birth for recording in the service record. As the acts committed by the concerned lady amounted to fraud and dishonesty, she was issued a charge-sheet dated 24-4-97/2-5-97 under the signature of Deputy Divisional Manager (P & S), West Bokaro who was the head of the department and was the controlling authority of the concerned lady. Moreover, he was also the disciplinary authority in respect of the concerned lady. In her reply to the charge-sheet the concerned lady submitted that the allegations levelled against her in the charge-sheet were misconceived and baseless and the certificates produced by her were genuine and true. She denied having committed the misconduct of fraud and dishonesty as charged against her in violation of the provisions of the Standing Order. The Disciplinary Authority appointed Sri Prakash George, Senior Officer (P) Services Group, West Bokaro Collieries as Enquiry Officer and Sri I. R. Sandys, as Management Representative and fixed the date of enquiry on 14-5-97 and issued the letter dated 9/12-5-97 to the concerned lady, the Enquiry Officer and to the Management Representative. In pursuance of the aforesaid letter of the Disciplinary Authority, the Enquiry Officer conducted the departmental enquiry after issuing notices of enquiry on different dates and the enquiry was conducted in the presence of the concerned lady all throughout. She was given opportunity to engage any co-worker of her choice. She did not engage any co-worker and she conducted the defence by herself. It has further been submitted on behalf of the management that she was given full opportunity to cross-examine the Management witnesses, to give her own statement, to produce her defence documents as well as witnesses. She did not make any allegation against the Enquiry Officer or procedure of enquiry adopted by him. The enquiry was conducted fairly and properly keeping in view the principle of natural justice. Thereafter the enquiry officer closed the proceeding and submitted enquiry report holding the concerned lady guilty of the charges levelled against her. After completion of all formalities, the disciplinary authority put up the matter before the Agent (North Group) West Bokaro who was superior to the disciplinary authority for his consideration on the findings of the Enquiry Officer and all documents connected with the departmental enquiry. The Agent (North Group), West Bokaro examined the enquiry report, the enquiry proceedings and all submissions of the concerned lady and came to the conclusion that she committed the misconduct of fraud and dishonesty under clause 27(2) of the Certified Standing Orders of the Company and,

accordingly, she was dismissed from services by Deputy General Manager, West Bokaro by order dated 9/11-3-98 with effect from 16-3-98. The Union took up the case of the concerned lady before the General Manager with a request to review the order of dismissal passed against the concerned lady by the Deputy General Manager and accordingly, the General Manager discussed the matter with the union and verified genuinity of the documents produced by the concerned lady from the Bihar Secondary School Examination Board, Patna and after getting letter from the competent authorities and the same was informed to the union representatives. Thereafter the General Manager of West Bokaro Colliery did not find any merit to review the action already taken by the Deputy General Manager who was superior officer to the disciplinary authority and issued the letter dated 15-12-98 finally dismissing the concerned lady as per the provision of Certified Standing Orders of the Company.

It has been prayed on behalf of the management to pass an Award holding the dismissal of the concerned lady as legal, bona fide and justified and that she is not entitled to get any relief.

4. Both the sides have filed their respective rejoinder admitting and denying the contents of some of the paras of each other's Written Statement.

5. While considering the fairness and propriety of the domestic enquiry it was decided by this Tribunal vide Order No. 35 dated 17-11-2008 to dispose of the issues, whether preliminary or otherwise on the same time in view of the judgement of the Hon'ble Supreme Court reported in 1983-84 Supreme Court cases (L & S) 527. Accordingly after conclusion of evidence from both sides the case was heard on merit.

6. Management in order to substantiate their case has produced Mr. I. R. Sandys and examined him as MW-1. On their behalf documents were marked as Ext. M-1 to M-21. Workmanside also produced the concerned workman who has been examined as WW-1. On their behalf documents were marked as Ext. W-1, W-2 and W-3.

7. It has been argued on behalf of the workman that the concerned lady Meena Kumari Singh was originally appointed on 4-7-90 as Clerk Grade-III under land looser Scheme. Chota Pd. Sahu and co-sharer had executed an agreement with the management to sell the land for mining purpose and in view of that the concerned workman was appointed as Clerk Grade-III. The concerned workman was promoted to Clerk Grade-II by an Office order dated 18-12-93. The management issued the concerned workman a false and frivolous charge-sheet dated 2-5-97 under the signature of Dy. Divisional Manager on the allegation that allegedly the concerned lady had produced fake and forged secondary examination certificate while obtaining

employment in the company. She was charged for committing fraud and dishonesty in connection with company's business. The main allegation in the charge-sheet is for submitting fake certificate for securing employment as Clerk Grade-III. The Ld. Advocate for the concerned workman has referred appointment letter dated 4-7-80 marked as Ext. W-1. This appointment letter will show that the concerned workman was not appointed on the basis of Secondary School Certificate, rather she was appointed on the strength of land looser Scheme. So it has been argued that the charge-sheet is illegal and void and on this score alone dismissal was illegal and unjustified. On behalf of the management Mr. I. R. Sandys has been examined as MW-1. This witness in course of his evidence has stated that he was not the Enquiry Officer and he was representative of the management. He has not adduced any evidence to prove that the secondary school certificate is forged and not genuine and that the concerned lady was appointed on the strength of Secondary School Certificate and that for appointment in Clerk Grade-III Matriculate is the minimum qualification. Management witness in cross-examination admitted that Meena Kumari was appointed as per Land Looser Scheme and he proved appointment letter Ext. W-1. He further admitted that no authority of Secondary School Board or School Authority was produced and examined in the domestic enquiry and no authority was examined before the Hon'ble Tribunal. The workman side has referred the relevant portion of cross-examination of MW-1 which is as follows :—

"No person of Bihar Secondary Board was examined before the domestic enquiry. There was correspondence with the Secondary Board from which it transpires certificate and marksheet and school leaving certificate. Again says—there was no correspondence with the Board, rather there was correspondence with the Principal of the School from which she had appeared in the examination. Neither any official of the School was examined during domestic enquiry nor any Admission Register of the School was produced in the said enquiry proceeding."

The concerned lady Meena Kumari on oath stated that the educational certificate produced by her before the management was genuine and she produced matriculation certificate, Marksheet and Intermediate Certificate marked as Ext. W-1, W-2 and W-3. But the statement of this witness remained unchallenged in cross-examination. Nobody can appear in the intermediate examination unless he/she passes matric examination. The concerned workman appeared in the Intermediate Examination and also passed Intermediate Examination. So the allegation of not passing matric examination is prima facie illegal and unfortunate. It has been argued that as per law averment made in the written statement cannot take the place of proof and pleading is no substitute to prove. As per law oral evidence

has to be adduced to prove the plea. In support of their contention they have referred to a decision reported in AIR 1982, page 385 between National Insurance Co. Vs. Yogendra Nath in which their Lordships of the Hon'ble Allahabad High Court has held :

"The averments contained in the written statement cannot take the place of proof unless evidence is produced by the interested party."

They have also referred to a decision of the Hon'ble Supreme Court reported in 2005 (105) FIR 1067 between Manager, Reserve Bank of India Vs. S. Many in which their Lordship of the Hon'ble Supreme Court held the following :—

"Pleadings are no substitute for proof."

The appointment letter of the concerned workman will show that the concerned workman was not appointed on the basis of Secondary School Certificate. The management also miserably failed to adduce any oral evidence or document to prove the fact that the certificate is not genuine. The concerned workman also proved the matriculation certificate and marksheet and Intermediate Certificate which shows that the matriculation certificate was genuine and so she was allowed to appear in the Intermediate examination and she procured Intermediate Certificate. The management miserably failed to prove the charges of submitting forged Matriculation/Intermediate Certificate. The management even did not examine the alleged Principal/Head Master of the School in the domestic enquiry or in the Tribunal. The workman submitted that non-examination of witness on whose alleged letter the management reached the conclusion of submitting forged certificate by the workman ipso facto illegal and void ab initio. In this respect the workman side has referred to a decision reported in 2008 (4) LJLR page 508 (J.Hs.) Santosh Kumar Dubey Vs. Steel Authority of India. In the said judgement their Lordship has held the following :—

"Dismissal—Petitioner allegedly secured appointment on the basis of forged displacement certificate report submitted by Enquiry Officer without making any enquiry—DPLR on whose letter findings was arrived at that petitioner was not a displaced person, was never examined by Enquiry Officer nor such letter ever supplied to the petitioner—findings recorded by Enquiry Officer and order of dismissal is bad and unsustainable."

The management as per law cannot justify the order of dismissal on any grounds other than the grounds mentioned in the charge sheet which is reported in 1956 (II) LLJ page 439 (SC).

The concerned workman WW-1 in her evidence in chief examination has stated that the copies of the enquiry proceeding and report were not supplied to her before her dismissal nor any second show cause notice was issued

prior to dismissal. The witness WW-1 was not cross-examined. So the statement made in examination in chief is admitted. In this connection the workman side had referred to the judgement of Patna High Court reported in AIR 1940 page 683 and Delhi High Court reported in 1977 Cr. L.J. page 410. The management witness (MW-1) also admitted this fact that after enquiry and before dismissal no second show cause notice was issued to her. So on this score alone the dismissal was illegal and void-abinitio. In this respect the workman side has referred to the judgement of Hon'ble Supreme Court and High Court reported in (1) Current Labour Report(SC) 1991 page 61, (2) 2003 (3) JCR page 698 (JH), 2002 (94) FLR page 1076 [Allahabad High Court, (4) 2004 (I) LJLR page 382 (J.H.) and (5) 2008 (2) LJLR page 573] J. H. The workman side has also referred to a decision reported in 1989 Lab I.C. page 1043 (SC) in which their Lordship has held that in industrial law the fight is between two unequals, so justice should be tempered with mercy. It has been further argued that the dismissal of the concerned lady who already underwent by-pass surgery and also suffering from cancer was not only illegal and void abinitio but also against humanity. So she is legally entitled for reinstatement with full back wages. In this connection they have referred the judgement of Hon'ble Supreme Court reported in SCC Vol-3 page 808 and S.C.L.J. Vol. 15 page 65.

8. Ld. Advocate for the management has referred the judgement reported in SCLJ Vol. 7 page 512—555, 2008 SCC (L & S) page 890, 2008 S.C.C. (L & S) page 298 and 2009 S.C.C. (L & S) page 126, Supreme Court. In the judgement reported in SCLJ Vol. 7 page 512—555. Their Lordship of the Hon'ble Supreme Court held :—

"Industrial Disputes Act, 147 S. 11-A—Domestic Enquiry held by employer—Power of Tribunal to interfere with finding of misconduct—Recorded in enquiry—Cases where proper and valid domestic enquiry was held before passing order of punishment—Power of Tribunal previous to enactment of Section 11-A and position subsequently changed by this section—Cases where no enquiry was held by employer or enquiry held was defective—Power of employer to adduce evidence to justify order of discharge or dismissal."

In the judgement reported in 2008 SCC (L & S) page 890 Their Lordship of the Hon'ble Supreme Court held the following :—

"Industrial Disputes Act, 1947—Section 11A—Labour or Industrial Tribunal cannot act as if it were an appellate body—Appreciation of evidence—Held, where two views are possible on evidence, Industrial Tribunal should be very slow in interfering with the findings arrived at in domestic enquiry—Standard of proof in domestic enquiry is preponderance of probabilities and not proof beyond reasonable doubt—It was improper for the Tribunal to interfere

with the findings of domestic enquiry on the ground that there was no independent evidence apart from Management witnesses—Plea of alibi accepted by the Tribunal in this case, also not based on evidence—Award of the Tribunal therefore set aside and dismissal order passed by Management restored—However, general proposition of law accepted that Labour Court can award lesser punishment in a given case.”

In the judgement reported in 2008 (2) Supreme Court Cases (L & S) 298 Their Lordship of the Hon’ble Supreme Court held the following :—

“A. Industrial Disputes Act, 1947—Sec. 11A—Discretion available to Labour Court—Law laid down in Firestone Tyre and Rubber Co. of India (P) Ltd. case (1973) 1 SCC 813—Explained and further held, must be exercised judiciously and with restraint—Labour Court ought not substitute its own view merely because two views are possible on the basis of evidence on record—However, Labour Court can examine aspect of proportionality—Labour Court concluding that domestic enquiry was conducted in accordance with principles of natural justice and findings in the enquiry report were not perverse, yet it interfering with the management decision and holding that no charge was established against workmen—No fresh evidence as introduced by either side before Labour Court—Held, Labour Court’s interference not warranted—Analogy of law laid down on Civil Procedure Code, S. 96, also invoked/Civil Procedure Code, 1908—S. 96—Administrative Law—Proportionality.”

In the judgement reported in 2009 (1) Supreme Court Cases (L & S) 126 their Lordships of Hon’ble Supreme Court held the following :—

“Departmental enquiry—Natural justice—Violation of—Whether results in automatic reinstatement—Departmental enquiry conducted against respondent found defective inasmuch as witnesses examined earlier were not produced for cross-examination—Disciplinary authority dismissed him from service on the basis of enquiry report which held the charges against respondent as proved—Following the law laid down in Hiran Mayee Bhattacharyya case (2002) 10 SCC 293 and R.S. Pandey Case, (2005) 8 SCC 264, held reinstatement could not be ordered on account of these infirmities in disciplinary proceedings—High Court ought to have directed fresh proceedings from the stage of alleged illegality, without ordering reinstatement—Respondent, however, in the meantime reaching superannuation age and therefore not interested in pursuing further remedy, rather interested in submitting a departmental representation for change of punishment from termination

to compulsory retirement—Liberty given to him to do so without expressing any opinion on this aspect.”

In the judgement reported in 1 CLR Supreme Court, 1991 page 61 their Lordships of the Hon’ble Supreme Court held the following :—

“1. Constitution of India—Art. 31(2)—After 42nd amendment—Disciplinary proceedings—Whether necessary to supply to delinquent copy of inquiry officer’s report—Whether he is entitled to make any representation against the same—Whether any change is brought about by 42nd amendment—Held that supply of a copy of the inquiry report along with recommendations, if any, in the matter of proposed punishment to be inflicted would be within the rules of natural justice and the delinquent would therefore be entitled to the supply of a copy thereof and that the Forty Second Amendment has not brought about any change in this position.”

9. Management has appointed the concerned lady vide appointment letter marked as Ext. W-1 under Land Loser Scheme. She was not appointed on the basis of Matriculation or Secondary Certificate and enquiry has been conducted by the management as per Ext. M-1 regarding Secondary School Certificate but no witness has been examined by the management to prove the falsity and fabrication of the certificate submitted by the concerned workman. Above enquiry was held by the management ex parte. No publication regarding conducting of enquiry has been done in the newspaper so that the concerned lady may appear and defend her case. Moreover, no second show cause notice was also given to the concerned lady before her dismissal on the contrary she was dismissed vide dismissal order marked as Ext. M-17. This attitude of the management clearly shows that they have violated law laid down by Hon’ble Supreme Court reported in 1 CLR page 61, 1991. In this respect MW-1 in course of his evidence stated in cross-examination that he had not conducted the enquiry. He was simply management representative in the enquiry. He has also stated that no person of the Bihar Secondary Board was examined before the domestic enquiry, to prove the genuinity of the certificate. He has also stated neither any official of the school was examined during the domestic enquiry nor any admission register of the school was produced in the said enquiry proceeding. He has also stated and admitted that after enquiry and before dismissal no second show notice was issued to her. This evidence of the MW-1 shows that the enquiry which was conducted by the management was not fair and proper and moreover she was not given the second show cause notice to say regarding the enquiry proceeding and proposed dismissal order.

10. In view of the facts, evidence, circumstances and citations of rulings discussed above I hold that the



management was not justified in dismissing the concerned lady from service. Accordingly following Award is rendered :—

“The action of the management of Bokaro Colliery of M/s. Tata Iron & Steel Company Ltd., P.O. Ghatotand Distt. Hazaribagh to dismiss the services of Smt. Meena Kumari Singh Clerk Grade III is not legal and not justified. Consequently she is entitled to be reinstated to her original job from the date of her dismissal. She is also entitled full back wages from the date of her dismissal to the date of her reinstatement with consequential benefits.”

Management is directed to implement the Award within three months from the date of the publication of the same in the light of the observation made above.

H. M. SINGH, Presiding Officer

नई दिल्ली, 14 सितम्बर, 2009

का.आ. 2795.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं डब्ल्यू. सी. एल. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 03/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-9-2009 को प्राप्त हुआ था।

[सं. एल-22012/361/2007-आई आर (सीएम-II)]  
अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 14th September, 2009

S.O. 2795.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 03/2008) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the management of WCL, and their workman, which was received by the Central Government on 14-9-2009.

[No. L-22012/361/2007-IR (CM-II)]  
AJAY KUMAR GAUR, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/03/2008

Presiding Officer : Shri Mohd. Shakir Hasan

The General Secretary,  
Sanyukta Koyla Mazdoor Sangh (AITUC),  
CRO Camp, Iklehra,  
Distt. Chhindwara,  
Chhindwara (MP)

...Workman/Union

*Versus*

The Chief General Manager,  
JWCL, Pench Area,  
PO Parasia, Chhindwara (MP)

....Management

#### AWARD

Passed on this 26th day of August, 2009

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/361/2007-IR (CM-II) dated 7-1-2008 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of M/s. WCL in dismissing Shri Bhaglal w.e.f. 15-9-03 is legal and justified? If not, to what relief is the workman entitled?”

2. The case of the workman in short is that he was Ex. Tub Loader, Thesgora Mine of Pench Area and was terminated on the ground of habitual absenteeism beyond sanction leave. Hence the reference.

3. The workman/Union appeared and filed an application alongwith terms and conditions of settlement. It is submitted that the dispute has been settled and the award be passed in terms of settlement.

4. The non-applicant also appeared and Shri Abdul Hakeem, Personal Manager endorsed verbally that the parties have settled the dispute. He is also one of the signatory over the settlement.

5. Perused the settlement. It appears that there is nothing illegality in the settlement and it is legal and proper. The following are the terms of settlement :—

- (i) Shri Bhaglal S/o Naukhey, Ex-Tub Loader, Thesgora Mine of Pench Area will be re-employed afresh as General Mazdoor in Cat-I for underground mine of Pathakhara Area and he will be paid initial basic of Cat-I (U.G.)
- (ii) Such re-employment will be subject to medical fitness so certified by the Company Doctor.
- (iii) Shri Bhaglal S/o Naukhey, Ex-Tub Loader, Thesgora Mine of Pench Area shall remain on probation for a period of one year from the date of joining and he has to put in minimum 190 days of attendance in a year. In case his attendance and general performance is not found satisfactory by the management, his services shall automatically stand terminated without any enquiry or assigning any reason thereof.
- (iv) Shri Bhaglal S/o Naukhey, Ex-Tub Loader, Thesgora Mine of Pench Area shall be entitled only for continuity of service for the limited purpose of gratuity and this will be full and final settlement. Further, the benefit of continuity of

service will not be extended in such case where the person has been paid gratuity payment. This shall be full and final settlement and no further claim what so ever shall be made in future.

- (v) The period from the date of termination till re-employment and joining on his duty will be treated as dies-non on the principle of no work no pay.
- (vi) Form-H settlement individually or through union, incorporating the above terms and conditions for entering into employment and the same will be sent for registration to the labour machinery.
- (vii) In case any dispute is pending before the CGIT, the re-employed person should withdraw the same from CGIT by filing a copy of settlement for consent award. If any matter is pending before any other courts, the Union/ex-employee will withdraw the case from the concerned court. Shri Bhaglal S/o Naukey CGIT case referred by Ministry of Labour to CGIT, Jabalpur but number was not allotted by Hon'ble Court.

(viii) He shall have no right to apply for VRS at later stage.

6. The Award is passed in terms of settlement without costs.

7. Let the copies of the award be sent to the Government of India, Ministry of Labour and Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 14 सितम्बर, 2009

का. आ. 2796.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, एवं डब्ल्यू.सी.एल. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 61/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-09-2009 को प्राप्त हुआ था।

[सं. एल-22012/345/2004-आई. आर. (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 14th September, 2009

S.O. 2796.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 61/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the Industrial Dispute between the management of Western Coalfield Limited, and their workman, received by the Central Government on 14-9-2009.

[No. L-22012/345/2004-IR (CM-II)]  
AJAY KUMAR GAUR, Desk Officer

## ANNEXURE

BEFORE SHRI A.N. YADAV, PRESIDING OFFICER,  
CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/61/2005

Date: 28-08-2009

The General Secretary,  
Sanyukta Koyla Mazdoor Sangh  
(AITUC), Central Office: CRO Camp,  
Ikalthara, Chhindwara (on behalf of  
Shri Deendayal S/o Kundanlal)

... Petitioner  
Party No. 1

Versus

The General Manager,  
Western Coalfield Limited,  
Pench Area, P.O.: Parasia,  
Distt. Chhindwara (M.P.)

... Respondent  
Party No. 2

## AWARD

Dated: 28th August, 2009

1. The Central Government after satisfying the existence of dispute between the General Secretary, Sanyukta Koyla Mazdoor Sangh (AITUC), Chhindwara (on behalf of Shri Deendayal S/o Kundanlal) (Party No. 1) and the General Manager, Western Coalfield Limited, Chhindwara (Party No. 2) referred the same for adjudication to this Tribunal vide its letter No. L-22012/345/2004/IR (CM-II) dated 20-07-2005 under clause (d) of sub Section (1) and sub section (2A) of Section 10 of Industrial Dispute Act, 1947 [14 of 1947] with the following schedule.

2. क्या प्रबंधन, वेस्टर्न कोलफील्ड लिमिटेड, पेंच एरिया पोस्ट परासिया जिला छिंदवाड़ा म.प्र. के प्रबंधन द्वारा श्री दीनदयाल आत्मज श्री कुन्दनलाल टो.न. 3017 डीपीआर/न्यूटन/गणपति माइन को दिनांक 22-9-2001 के आदेश द्वारा सेवा समाप्ति के दण्ड से दंडित करने की कार्यवाही न्यायोचित है? यदि नहीं तो संबंधित कर्मकार किस अनुतोष का हकदार है?

3. The petitioner Shri Deendayal S/o Kundanlal, was working as a Ex-DPR in Newton-Ganapati of Pench Area has raised the dispute before the ALC and on failing of the conciliation proceeding, the Government had referred it to the CGIT. During the pendency of the dispute i.e. reference No. 61/2005 on 7-7-2009 both the parties settled in amicably outside the Court. They arrived at following certain conditions.

### Terms and Conditions:

1. Shri DeenDayal S/o Kundanlal, Ex-DPR, Newton-Ganapati of Pench Area will be re-employed afresh as General Mazdoor in Cat-I for underground mine of Pathakhara Area and he will be paid initial basic of Cat. I (UG).

2. Such re-employment will be subject to medical fitness so certified by the Company Doctor.
3. Shri Deen Dayal S/o Kundanlal, Ex-DPR, Newton-Ganpati of Pench Area shall remain on probation for a period of one year from the date of joining and he has to put in minimum 190 days of attendance in a year. In case his attendance and general performance is not found satisfactory by the management, his services shall automatically stand terminated without any enquiry or assigning any reason thereof.
4. Shri Deen Dayal S/o Kundanlal, Ex-DPR, Newton-Ganpati of Pench Area shall be entitled only for continuity of service for the limited purpose of gratuity and this will be a full and final settlement. Further, the benefit of continuity of service will not be extended in such case whether the person has been paid gratuity payment. This shall be full and final settlement and no further claim what so ever shall be made in future.
5. The period from the date of termination till re-employment and joining on his duty will be treated as dies-non on the principle of no work no pay.
6. Form-H settlement individually or through union, incorporating the above terms and conditions for entering into employment and the same will be sent for registration to the Labour machinery.
7. In case any dispute is pending before the CGIT, the re-employed person should withdraw the same from CGIT by filing a copy of settlement for consent award. If any matter is pending before any other courts, the union/ex-employee will withdraw the case from the concerned court. The case No. NGP/61/05 of Shri Deen Dayal S/o Kundanlal is pending before the Hon'ble Court of Nagpur.
8. He shall have no right to apply for VRS at later stage.

The parties have produced the pursis before the Court on 25-8-2009. They agreed it before the Court and requested for the Award in that terms. I accepted it and recorded the compromise Award in the terms of it. Consequently, there remained no dispute due to the compromise. Hence, this no dispute Award.

Date: 28-08-2009

A.N. YADAV, Presiding Officer

नई दिल्ली, 15 सितम्बर, 2009

का. आ. 2797.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत संचार निगम लिमिटेड के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों

के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में लेबर कोर्ट, कोल्हापुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-09-2009 को प्राप्त हुआ था।

[सं. एल-40012/40/2003-आई. आर. (डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 15th September, 2009

S.O. 2797.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Labour Court, Kolhapur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bharat Sanchar Nigam Limited and their workman, which was received by the Central Government on 15-9-2009.

[No. L-40012/40/2003-IR (DU)]

SURENDRA SINGH, Desk Officer

#### ANNEXURE

BEFORE SHRI M.B. DATYE, PRESIDING OFFICER,  
FIRST LABOUR COURT, KOLHAPUR

Reference I.D.A. No. 57/2003

Sub-Divisional Engineer,  
Co-Axial Maintenance Unit,  
At present Microwave Maintenance  
of Bharat Sanchar Nigam Ltd.,  
Satara, Dist. Satara

... First Party

Versus

Shri Raju Bajirao Mane,  
R/o 546, Karanje Peth,  
Budh Vihar, Karanje-Tarf Satara,  
Tal. Dist. Satara

... Second Party

Coram : Shri M.B. Datye, Presiding Officer

#### Appearances :

Shri R.L. Chavan : Advocate for First party.

Shri P.B. Dakave : Advocate for Second Party

#### AWARD

Dated : 14-5-2009

Ministry of Labour and Employment, Government of India sent this reference to this Court. It said that "Whether the act of terminating Shri Raju B. Mane who was continuously working with Co-axial Maintenance Unit [Which is at present Microwave Maintenance (Powai Naka Unit) of Bharat Sanchar Nigam Ltd. Satara] during 1st December, 1992 to 30th November, 1997 as Sweeper, without notice and compensation, is legal and valid? To what reliefs is he entitled?" After the reference was received, notices were sent to both the parties. The second party filed his Statement of Claim at Exh. U-4. The first party submitted its written statement at Exh. C-18. Second party filed his affidavit of evidence at Exh. U-24. First party did not conduct his cross-examination. My learned predecessor passed an award that the first party should pay



compensation Rs. 25,000 to the second party. Against that award, the first party filed a Writ Petition. Hon'ble High Court at Bombay by its order dated 29th September 2008, held that the reference be restored. First party was allowed to file its written statement and the reference was asked to be decided in six months.

2. The second party in his statement of claim said that he is a workman of the first party. He was working with the first party as Sweeper from 1990 to 1997. On 1st December, 1997 Shri Kulkarni, Sub-Divisional Engineer of the first party orally terminated him. Before that, notice, notice pay and compensation was not paid to him. There is breach of Section 25F of the Industrial Disputes Act.

3. Second party further said that on 1st December, 1990 Sub-Divisional Engineer Shri Kodilkar had appointed him. He was paying a meager salary of Rs. 450 per month. He was getting his signatures on blank vouchers. His duty hours were 8 a.m. to 4 p.m. He was removing grass from the open space. He was cleaning the office, the quarters, machinery, lockers, toilets and water tanks. He had served for more than 240 days.

4. After termination, second party at first applied to Labour Enforcement Officer, Central at Sangli. First party did not file its reply. Then Labour Officer made over that matter to Assistant Labour Commissioner Central, Pune. Settlement was not arrived at. First party has illegally terminated him. He should be reinstated permanently as Sweeper Kamagar. He should be held to be continuously in service for seven years i.e. during 1st December, 1990 to 30th November, 1997. He also says that the back-wages should be paid to him.

5. The first party filed written statement at Exh. C-18 and denied the contentions raised in the statement of claim. Second party has not served for 240 days continuously in one year, so he has no locus-standi to make the reference. Second party was working temporarily in exigencies. The said post is not sanctioned vacant post on the establishment of the first party. So, the second party can not seek back door entry. It also said that second party should prove that he was appointed in 1990 and he was orally terminated on 30th November, 1997. Sub-Divisional Engineer of the first party does not a right to recruit. Appointment of the second party came to an end at the respective time. Reference is not tenable. It should be rejected, is the prayer of the first party.

6. From the statement of claim and written statement my learned predecessor framed following issues at Exh. O-7. Findings to them with reasons are as under :

#### ISSUES

1. Whether second party proves that during 1st December, 1992 to 30th November, 1997, he was appointed by Co-axial Maintenance Unit which is now known as B.S.N.L. Microwave Satara?

2. Whether second party proves that the order of his termination is illegal and bad?
3. Is second party entitled for reinstatement with continuity of service and full backwages?
4. What award?

#### FINDINGS

1. No.
2. No.
3. No.
4. As per final order.

#### REASONS

##### Issue No. 1 :

7. Second party filed his affidavit of evidence at Exh. U-24. It reads that Shri Kodilkar Saheb of the first party appointed him on 1st December, 1990 and he worked till 30th November, 1997. He was paid a meager salary of Rs. 450/-. Shri Kodilkar got his signatures on blank vouchers. Separate receipts or pay-slips were not given to him, is his say. He also held that Shri Kodilkar Saheb used to keep a note of his attendance. On 1st December, 1997 Sub-Divisional Engineer Shri Kulkarni of the first party told him that he should not attend duty from that day. He was orally terminated was his further say. In the cross-examination he denied that he had not applied in writing for a job. But he admitted that he cannot produce such application. He admitted that because he had not applied to the first party, he does not have a copy of it. He admitted that his name was not recommended by the Employment Exchange. He denied that his wages were paid daily. Shri Aniruddha Kalyanrao Kulkarni, Divisional Engineer of the first party, in his affidavit Exh. C-28 said that the second party had not continuously served for 240 days.

8. Second party made an application Exh. U-19 and prayed that first party should be asked to produce the muster roll, wage register, vouchers, pay-sheet and the bills of payment for the period 1st December, 1990 to 30th November, 1997. The first party gave its reply at Exh. C-20 that the second party was appointed for exigencies. He was paid on vouchers. Separate muster was not maintained. So, the record is not available. I passed order on that application and asked the first party to produce the concerned record. The first party at Exh. C-22 and C-30 submitted the copy of attendance of temporary labours for the period January, 1991 to May 1995, as well as the copies of the work orders for the period 31st December, 1990 to 1st June, 1995. They do not show the name of the second party.

9. Second party filed a certificate dated 17th February, 1995, issued by Sub-Divisional Engineer. It reads that Shri Raju Bajirao Mane 546, Karanje Peth, Satara,

worked in the Co-axial building, temporarily for some time in the last year. His work and attendance was good. The Telecom District Manager, Satara in his letter dated 25th February, 1997 to the second party said that he has temporarily worked in Co-axial department as Sweeper.

10. As per the certificate issued by the first party, the second party was temporarily working for some time in the previous year of 1995. Second party does not have any evidence to show that he was continuously working during 1st December, 1990 to 30th November, 1997. In *Shri Navnath Maruti Chavan Vs. Conservator of Forest, 2006 (4) All M.R. (N.O.C.) (Bombay High Court)*. It is said that the aspect of regularizing the services of employees has no concern with working for 240 days. In *M.R. Yellatti Vs. Assistant Executive Engineer, 2006 II I.R. Zarkhand I-439 (Supreme Court)*. It is said by the Lordships that the burden of proving that the workman has worked for 240 days is on him. In that case, A.A. Engineering had certified that the workmen had worked during 24-11-88 to 20-06-94. Further record was not produced.

11. In the present case the certificate in favour of the second party said that he worked for some time in the year prior to 1995. The record that was available is filed. Second party does not have any evidence except his words and affidavit to show that he worked for 240 days in twelve months preceding 30th November, 1997.

12. First party relied on Branch Manager (M.P.) Agro Industries Ltd. Vs. S.C. Pandye, 2006(1) C.L.R. 1066 (Supreme Court). In that case the respondent was appointed temporarily for some time. It is said that he would not get the benefit of regularization of his job for the only reason that he had worked for 240 days. In *Maharashtra General Kamgar Union Vs. Raptkos Brett, 2006 (1) C.L.R. 312 (Bombay High Court)*. It is said that because the workmen had not worked for 240 days in a year the period for which they were not in job could not be added to it. In *Chief Engineer (Construction) Vs. Keshavrao (Deceased) 2005 L.L.R. (446) (Supreme Court)* it is said that the burden of proving that the workman had worked for 240 days in 12 months preceding date of termination, is on him. In *Bajaj Auto Ltd. Aakurdi, Pune Vs. Shri Ashok Dnyanoba Dhumal and others 2006 (1) C.L.R. 441 (Bombay High Court)*. It is said that the weekly offs should not be added to the 207 days for which the workman had worked.

13. From the whole oral and documentary evidence as well as the decisions cited by both parties, it is seen that the second party does not have any evidence except his words, to show that he worked with the first party from 1st December, 1992 to 30th November, 1997. As said above, the certificate issued by Shri Kodilkar mentions that the second party was working with the first party for some time. But there is no evidence to show that he was continuously working with the first party. Advocate Shri Dakave for the second party argued that adverse inference

be drawn against first party because it did not file documents. He relied on *M/s. Z.F. Steering Gears (India) Vs. Shri Ramchandra S. Tapkir, 2006 (5) All M.R. 241 (Bombay High Court)*. In that case adverse inference was drawn against the first party because it did not produce document to show that the second party was in service even after his termination.

14. In the present case the first party right from the beginning has been saying that the second party was not in continuous service. Its say at Exh. C-20 is the same. Still it has submitted documents at Exh. C-22 and C-30. So there is no need to draw any adverse inference against it.

15. Second party informed the Collector, District Manager Telecom and District Social Officer that during 1st December, 1990 to 1st December, 1997 he was working with the first party. He does not have any evidence to prove the same. Second party admits that he was a daily wager. That is why he was asking for permanency and he was writing to different officers except the first party. Second party does not have evidence to show that he was working with the first party from 1992 to 1997. His affidavit can not prove that fact. Except the certificate issued by Shri Kodilkar that he was working for some time in the previous year of 1995, he has no document. He does not have letter of appointment, salary slip or a single document to show that he was on such duty. So, it is not proved that he was working with the first party from 1st December, 1992 to 30th November, 1997. I answer the first issue in negative.

#### Issue No. 2 :

16. Second party does not have any evidence to show that he was working with the first party for more than 240 days before 30th November, 1997. First party is a Government Department. In *Secretary State of Karnataka & others Vs. Umadevi and others, 2006 (II) C.L.R. Page 261 (Supreme Court)*. It is said that Government Departments appoint workmen for temporary jobs. Merely because they serve for more than 240 days, they do not get a right to the post. So because the second party worked for some time with the first party it can not get a right to the post. For the same reason because the first party did not follow the provision of Section 25 F i.e. giving notice, notice pay and compensation, the termination of the second party will not become illegal. So, I answer this issue in negative.

#### Issue Nos. 3 and 4 :

17. Second party did serve the first party on daily wages. He cannot get a right to the post. It is not possible to ask the first party to reinstate him and pay the back-wages. First party does not say that second party left the job. It said that the second party was not in continuous service. He was appointed as per exigencies. So, the decision in *G.K. Medhekar Vs. Zenith Safe Manufacturing Co., 1996 (I) C.L.R. Page No. 172 (Bombay High Court)* can not help the second party. Because the second party did

not succeed in proving his case, it is not possible to grant any relief to him. I answer the third issue in negative and reject the reference with following order.

### ORDER

Reference is rejected

No order as to costs.

Award be published.

Place : Kolhapur

M.B. DATYE, Presiding Officer

Date 14-5-2009

नई दिल्ली, 15 सितम्बर, 2009

का. आ. 2798.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार केन्टोन्मेन्ट बोर्ड के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 232/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-09-2009 को प्राप्त हुआ था।

[सं. एल-13012/9/99-आई. आर. (डी.यू.)]  
सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 15th September, 2009

S.O. 2798.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 232/99) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Cantonment Board and their workman, which was received by the Central Government on 15-9-2009.

[No. L-13012/9/99-IR (DU)]  
SURENDRA SINGH, Desk Officer

### ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,  
PRESIDING OFFICER, CENTRAL GOVT.  
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,  
CHANDIGARH  
Case I.D. No. 232/99**

Sh. Om Parkash, S/o Sh. Rounki Ram,  
V.P.O. : Saha, Distt. Ambala,  
(Haryana)-134003

... Applicant

Versus

The Executive Officer,  
Cantonment Board, Ambala Cantt.,  
(Haryana)-133001

... Respondent

### Appearances :

For the Workman : In person

For the Management : Sh. Dharmendar

### AWARD

Passed on : 3-9-09

Government of India vide Notification No. L-13012/9/99/IR(DU), dated 26-10-1999, by exercising its powers under Section 10 of the Industrial Dispute Act (the Act in Short), referred the following industrial dispute for adjudication to this Tribunal :

"Whether the action of the Executive Officer, Cantonment Board, Ambala Cantt. in terminating the services of Sh. Om Parkash S/o Sh. Rounki Ram by accepting his resignation w.e.f. 8-11-96 is just & legal? If not to what relief the concerned workman is entitled?"

After receiving this reference, both of the parties were summoned. They filed their respective pleadings. On perusal of the pleadings of the parties, it is evidently clear that main issue before this Tribunal for adjudication is whether the workman, Sh. Om Parkash withdrew his resignation letter dated 29-3-1996 before its acceptance on 8-11-1996. It is the contention of the workman that he withdrew his resignation on 29-7-1996 before the same was accepted by the management of Cantonment Board.

Both of the parties were afforded the opportunity for adducing evidence. Sh. Om Parkash filed his affidavit and he was also examined by learned counsel of the management on 20-11-2006. On the other hand Sh. Subhash Chand filed his affidavit for the management of Cantonment Board and he was accordingly examined as MW1 on 27-5-09.

Parties were heard at length.

Along with the affidavit the witness of the management has also filed and proved the letter written by the workman to Executive Officer of the Cantonment Board on 29-3-1996. The management has also filed an office letter dated 11-11-1996 No. E4/96, written to the workman by Executive Officer Ambala informing him about the acceptance of his resignation letter dated 29-3-96 on 8-11-96. The management has also filed a letter written by the workman to Executive Officer regarding the payment of amount due on account of accepting his resignation letter on 8-11-96.

On the other hand the workman has filed two letters dated 29-3-96 and 29-7-96. Letter dated 29-3-96 which is marked Ex. W2 is not the same as Ex. M1 filed by the management. Both of the letters bears the same date 29-3-96. Contents of the letters are different. Ex. M1 which

has been filed by the management dated 29-3-96 is admitted by the workman. The workman in his cross-examination admits that he wrote the resignation letter dated 29-3-96 which is filed by the management as MW1. The letter dated 29-3-96 filed by the workman is altogether different. Moreover, workman has also filed letter dated 29-7-96 written to Executive Officer regarding withdrawal of his resignation dated 29-3-96. Both of these documents have been denied by the management. Letter W2 dated 29-3-96 which the workman claims to move to the management for resignation is not genuine. However, as admitted by the workman M1 is the letter which was moved by the workman to the management regarding the resignation from the services. Thus, letters W2 and W3 filed by the workman seems to be written in the same sequence at the same time. It is the photocopy of the original and management has denied to receive any letter dated 29-7-96. The workman has filed to prove the genuineness of letter W2 dated 29-3-96. It is true that workman has moved a letter dated 29-3-96 but it is not W2. In fact, it is M1 which was moved by the workman regarding the resignation from the services. Accordingly, both of the letters moved by the workman cannot be relied upon as are not genuine.

It is also the contention of the management that workman also filed a letter M3 regarding the payment of wages on account of the acceptance of his resignation letter on 8-11-96. This letter was moved by the workman on 14-1-97. The contents of this letter are also admitted to the workman. On perusal of this letter, it is evidently clear that there is not a single word regarding the withdrawal of resignation letter dated 29-3-96. This fact also proves that workman has never withdrawn his resignation letter dated 29-3-96 on 29-7-96.

The resignation letter dated 29-3-96 was accepted by the management on 8-11-96. Before its acceptance the workman had not withdrawn the same. As soon as the order dated 8-11-96 was conveyed to the workman on 11-11-96, it ceases the relationship of employer and employee between the workman and the management of Cantonment Board. From 11-11-96 the workman was not the employee of the management of Cantonment Board and there was no question of retrenchment by the management because the workman has voluntarily resigned from the services. The workman is not, accordingly, entitled for any relief. Let the Central Government be approached for publication of award, and thereafter, file be consigned.

G.K. SHARMA, Presiding Officer

नई दिल्ली, 15 सितम्बर, 2009

का. आ. 2799.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. पी. डब्ल्यू. डी., करनाल के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण नं.-I, चंडीगढ़ के पंचाट (संदर्भ संख्या 39/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-9-2009 को प्राप्त हुआ था।

[सं. एल-42012/190/99-आई आर (डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 15th September, 2009

S.O. 2799.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 39/2000) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of C.P.W.D., Karnal and their workman, which was received by the Central Government on 15-9-2009.

[No. L-42012/190/99-IR (DU)]

SURENDRA SINGH, Desk Officer

#### ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,  
PRESIDING OFFICER, CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR  
COURT-1, CHANDIGARH**

Case I.D. No. 39/2000

Smt. Lalita W/o Shri Rajesh Narang,  
E-25, Subhash Gate,  
Karnal-132001

... Applicant

*Versus*

The Executive Engineer,  
Karnal Central Division,  
Central Public Works Department,  
Karnal-132001

... Respondent

#### APPEARANCES

For the Workman : Sri R.P. Rana

For the Management : Sri G.S. Bal

#### AWARD

Passed on : 3-9-09

Government of India vide notification No. L-42012/190/99-IR (DU) dated 27-1-2000, referred the following industrial dispute for adjudication to this Tribunal :

"Whether the action of the management of C.P.W.D., Karnal in terminating the services of Smt. Lalita, Clerk-cum-Typist w.e.f. 26-9-97 is legal and justified? If not, to what relief the workman is entitled?"

After receiving the reference, parties were afforded the opportunity for filing their respective pleadings. On

perusal of the pleadings of the parties, it is evident that main question for adjudication before this Tribunal is regarding the employer-employee relationship between the workman and the management of C.P.W.D. It is the contention of the workman that she had directly worked as typist in C.P.W.D., Electrical Division, Karnal and the work orders under which she is said to be worked are the paper arrangements. It is further contended by the workman that she was shown to worked through a contractor just to prevent her to exercise a lawful right likely to be accrued under the provisions of the Industrial Disputes Act (the Act in short) regarding her working as typist with C.P.W.D. The workman has pleaded her working on work orders and through contractors as unlawful labour practice.

On the other hand, the management of C.P.W.D., Electrical Division, Karnal has challenged the contention of the workman stating that there is no employer-employee relationship between the workman and the respondent. It is further contended by the management that previously workman worked on independent contract, and thereafter, she worked through the two different contractors as per the policy of the government.

All the relevant documents have been filed.

The workman, Smt. Lalita, filed her affidavit and was cross-examined as W.W. 1 by learned counsel for the management, whereas, the Executive Engineer, Shri M.L. Baggan, Electrical Division, Karnal C.P.W.D. filed his affidavit and was cross-examined by the learned counsel for the workman.

I have heard the parties at length and perused all the documents on record.

As stated earlier, the main issue before the Tribunal is whether there existed employer-employee relationship between the workman and the management of C.P.W.D. ? The workman has to prove this relationship by some reliable evidence. The employer-employee relationship between the workman and the management can be proved by the nature of work, mode of payment and administrative control of the management over the workman. On perusal of the entire materials on record, including the evidence adduced and filed by the parties, it is clear that there is no dispute on the issue that workman, Smt. Lalita, worked in the office of the C.P.W.D., Executive Engineer, Karnal, as typist from 7-4-92 to 25-9-97. Upto 31-10-93 she is said to be worked on independent contract (work orders), whereas, from 1-11-93, she worked through the two different contractors. The workman claims this arrangement as unlawful labour practice.

The management has filed all the relevant documents to prove the nature of work done by, and mode of payment made to the workman. There is a letter on record for inviting tenders for some typing work of the department. There are three tenders on record and the tender of the workman was

accepted being lowest one. After accepting the tender of the workman she was issued work order for a specific term on 1-4-92 which was extended from time to time up to 31-10-93. From 1-11-93 onwards she worked through two contractors namely M/s Laxmi Electrical Services, and thereafter, Matadin contractor. The management has also filed the permission to engage the contract labour for the nature of work in question. Thus, it is established that workman worked upto 31-1-93 directly on contract (work orders) for a fixed term and on fixed wages. There is no iota of evidence that workman worked during this period otherwise then as prescribed in the terms and conditions of the work orders. She was paid wages as per the terms and conditions of the work orders and her service conditions were also governed as per the contents of this contract. As per the clause of contract (work order), it was extendable on consent of parties, and accordingly, was extended from time to time. On expiry of the last term of the extending contract, the workman cease to have any relationship with the management of C.P.W.D. From 1-11-93 she worked through two different contractors and as per the evidence adduced by the management she was paid wages by the contractor and not by the management of C.P.W.D. There is no iota of evidence adduced/filed by the workman to prove that she has not voluntarily accepted the contract or worked through two contractors. The workman has termed this practice as unlawful labour practice. I am unable to accept his contention of the workman because if her contention is accepted it will frustrate all the rules and regulations of the department regarding appointment against the regular vacancy. An appointment can be made through a legal process mentioned in the rules. No one can be permitted to by pass the rules. If such appointment is considered to be a legal appointment, it will certainly allow the organization to by pass the lawful method of appointment.

For all purposes whether the nature of work, payment of wages and administrative control over the workman there was no master-servant relationship between the workman and the management of C.P.W.D. The workman received the wages as settled in the contract upto 31-10-93 and thereafter, w.e.f. 1-11-93 through the contractor. She worked the same nature of work which was settled in a contract (work order) and after 1-11-93 for which she was provided with by the contractors to the management. Thus, for all purposes there was no employer-employee relationship between the management of respondent and the workman.

As stated earlier, there is no iota of evidence to prove any fact of unlawful labour practice. If regular appointments are not possible, the work can be carried out as per the policy on contract basis or through contractor on outsourcing. Under such circumstances, such engagement cannot create any relationship of master and servant and workman has no lien on the work. The workman is not accordingly, entitled for any relief. Let Central Government

be informed for publication of award, and thereafter, file be consigned.

G.K. SHARMA, Presiding Officer

नई दिल्ली, 15 सितम्बर, 2009

का. आ. 2800.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.बी.एम.बी. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 137/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-9-2009 को प्राप्त हुआ था।

[सं. एल-23012/65/1998-आई आर (सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 15th September, 2009

S.O. 2800.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 137/1999) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of BBMB and their workman, which was received by the Central Government on 15-9-2009.

[No. L-23012/65/98-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

#### ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,  
PRESIDING OFFICER, CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR  
COURT-1, CHANDIGARH**

Case I.D. No. 137/99

Sh. Gurdial Singh C/o R.K. Singh Parmar,  
H. No. 211-L, Barari,  
PO, Pratap Nagar, Nangal Dam  
Distt. Ropar (PB).

... Applicant

*Versus*

The Chief Engineer,  
Bhakra Dam,  
Nangal Township,  
Ropar (PB).

... Respondent

#### APPEARANCES

For the Workman : Sri R. K. Singh

For the Management : Sh. Bhagat Singh

#### AWARD

Passed on : 3-9-09

Government of India vide Notification No. L-23012/65/98-IR (CM-II), dated 27-5-99, exercising its powers under Section 10 of Industrial Disputes Act, (hereinafter referred

to as the Act), referred the following industrial dispute for adjudication to this Tribunal.

“Whether the action of the management of B.B.M.B. in terminating the services of Sh. Gurdial Singh w.e.f. March, 1993 is legal and justified? If not, to what relief the workman is entitled?”

As per the contention of the workman which is reflected from the statement of claim, he applied for 20 days earned leave w.e.f. 29-3-93 and due to the illness of his mother at Delhi he had to stay at Delhi for a longer period and could not return till 20-10-94. He approached the sub-divisional officer of the B.B.M.B. and came to know that his services have been terminated by the B.B.M.B. without complying with the provisions of the Act. No enquiry was conducted and no notice, one month wages in lieu of notice or retrenchment compensation was paid to him which make his termination illegal. On the basis of above mentioned facts, the workman has prayed for an order for setting aside the termination order and re-instatement of his services with full back-wages and other consequential relief.

In its written statement, the management of B.B.M.B. raised preliminary objections that the reference is not maintainable. It was also contended by the management that industrial dispute was raised after 5 years of the order of termination. As per the contention of the management, the workman applied for 20 days leave w.e.f. 29-3-93, but on expiry of leave he did not join the duties and applied for extension of leave for further 20 days by a telegram from Delhi. Even after expiry of that period, he did not resume his duties. Vide letter No. 4952-54/PF dated 16-3-93, he was asked to resume his duties within three days of the receipt of the said letter. Instead of making compliance of the said letter, the workman requested for extension of leave upto 31-8-93 along with medical certificate of private medical practitioner from Delhi. He was advised vide letter No. 8375-77/PF dated 13-9-93 that the medical certificate from a private practitioner is not acceptable and the medical certificate from a Government Hospital at Delhi be provided. After it, the workman neither informed the management of B.B.M.B. nor joined his duties.

It is further contended by the management that Sh. Gurdial Singh was again advised from time to time vide registered letters No. 9894-95/PF dated 5-11-93, letter No. 1936-37/PF dated 24-2-94, letter No. 3647-48/PF dated 29-4-94 and letter No. 5460-61/PF dated 5-7-94 to resume the duties, but in vain. All these letters have been received by him/his relatives as none has received back to the office of B.B.M.B.

It is further contended by the management that the workman was given final chance to resume his duties vide letter No. 7331-37/PF dated 30-8-94, but he failed to resume the duties and accordingly, disciplinary action in compliance



of the letter dated 30-8-94 served to the workman were taken and his services were terminated and his name was struck off from the pay roles of the B.B.M.B.

Both of the parties were afforded the opportunity for adducing evidence. Oral evidence was recorded. Management also preferred to file documentary evidence as Annexure A, Annexure G, and thereafter M2 to M35.

I have heard learned counsel of both the parties at length. It is the only contention of the learned counsel for the workman that in the case of absent of a permanent employee inquiry is necessary. No inquiry was conducted in this case and the services of the workman were terminated in violation of principle of natural justice because no right to hearing was afforded. On the other hand learned legal advisor of the management contended and argued that number of letters were written to the workman, but he did not comply with any of the letters. When the last order was sent to the workman an inquiry was also conducted and it came to the notice of the management that during the period of his unauthorized absence he visited Japan without permission. A letter of the Embassy of Japan is on record which proves that one man business visa was given to the workman.

On perusal of the material on record, it is evident that workman applied for 20 days earned leave which were sanctioned. In spite of joining the duties, he sent a telegram for extension of leave for further 20 days on the ground of his illness. He also sent a medical certificate by a Delhi based Doctor. The management took cognizance of his leave extension application and asked him to send a medical certificate of Government hospital based at Delhi. The workman neither replied the letter nor sent a medical certificate of a Government hospital based at Delhi. Moreover, the workman also failed to resume his duties. Thereafter, four letters were written to the workman to resume his duties but he failed to show the cause of absence and to resume duties. On failure of resuming duties by the workman and showing the cause of unauthorized absence, he was given a final notice on 30-8-94 asking him to join the duties within 10 days otherwise disciplinary action shall be taken against him. Before taking the disciplinary action, efforts were made by the disciplinary authority to know the truth about the workman, and it came to the notice of disciplinary authority that during the period in question he visited Japan on business visa. The letter from the Embassy Japan is on record which proves that one man business visa was issued to the workman. This fact is admitted by the workman in his cross-examination dated 23-7-93. I am mentioning few lines from the statement of the workman recorded on 23-7-03.

"It is correct that passport was issued to me from the Chandigarh office. It is also correct that visa was given to me on my application by Japan Embassy, my passport is now missing."

It shows that during the period in question the workman obtained a passport and a business visa for Japan. It is true that the fact of visiting Japan is not proved, but in his evidence the workman has not denied it.

Once the management has proved before this Tribunal by cogent evidence that the workman obtained a lawful passport to visit foreign country and also obtained a business visa from Embassy of Japan, it is on the workman to prove that in spite of obtaining visa, he has not visited the country for which he obtained visa. In entire evidence even the workman has not denied that he had not visited Japan.

In his statement of claim and the affidavit he has narrated the cause of absence as illness of his mother, whereas, when he applied for extension of leave he submitted a medical certificate for his own illness. It is a contradictory statement given by the workman. On perusal of the statement of claim and affidavit filed by the workman, it is also evident that the main contention and argument of the workman is that even for unauthorized absence an inquiry should have been conducted and opportunity of being heard should have been given to the workman. It was not done and it was violation of the right of principle of natural justice of the workman.

Principle of natural justice is not an unending China Wall and unrulling horse. On perusal of the record, it cannot be said that opportunity of being heard was not given to the workman. Five letters were written to the workman which were not answered nor was the cause of unauthorized absent shown. Even after receiving letters, at the address given by the workman in the office of management, the workman failed to join the duties. On remaining unauthorized absence the disciplinary authority himself tried to know the truth about the workman to given him the right to hearing and it is well proved before this Tribunal that the workman has visited Japan during the period in question unauthorizedly without permission prescribed under the rules. Thus, opportunity of being heard was given to the workman and he failed to avail that opportunity. By unauthorized visit of Japan, he himself frustrate the efforts of disciplinary authority to conduct a fair inquiry. The workman cannot be permitted to take the benefit for his own mistake.

Moreover, person who has committed such misconduct for visiting a foreign nation without permission and without even informing the management, he cannot claim the violation of principle of natural justice. The principle of natural justice cannot create protective embargo over the unauthorized act of the workman. Thus, there is no violation of any right of principle of natural justice and the workman was rightly terminated from the service. The reference is accordingly answered. Let Central Government approached for publication of award, and thereafter, file be consigned.

G.K. SHARMA, Presiding Officer



नई दिल्ली, 15 सितम्बर, 2009

का. आ. 2801.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं बी.बी.एम.बी. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चंडीगढ़ के पंचाट (संदर्भ संख्या 149/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-9-2009 को प्राप्त हुआ था।

[सं. एल-23012/3/1996-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 15th September, 2009

S.O. 2801.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 149/1997) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of BBMB and their workman, which was received by the Central Government on 15-9-2009.

[No. L-23012/3/1996-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

#### ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,  
PRESIDING OFFICER, CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR  
COURT-1, CHANDIGARH**

Case I.D. No. 149/97

Sh. Gurbachan Singh C/o R.K. Singh Parmar,  
Organizing Secretary,  
Punjab INTUC,  
Qtr. No. 35-G,  
Nangal Township,  
Distt. Ropar (PB)

... Applicant

*Versus*

The Chief Engineer (Generation),  
B.B.M.B.,  
Nangal Township,  
Distt. Ropar (PB)

... Respondent

#### APPEARANCES

For the Workman : Sri R.K. Singh

For the Management : Sh. Rajinder Singh

#### AWARD

Passed on : 2-9-09

Government of India vide Notification No. L-23012/3/96-IR (C-II), dated 24-7-97, by exercising its powers under Section 10 of Industrial Dispute Act, (The Act in short),

referred the following industrial dispute for adjudication to this Tribunal :

“Whether the action of the management of B.B.M.B. in not reemploying the retrenched workman Sh. Gurbachan Singh (who was retrenched in 1980), in 1993 when fresh recruitments were made in the establishment is legal and justified? If not, to what relief is the workman entitled and from which date?”

The nature of this reference makes it clear that retrenchment of the workman in 1980 is not the subject matter of dispute between the parties. I have to answer the reference as referred by the Central Government. Thus, the plea taken by the workman that his retrenchment was illegal is not to be considered. In the reference, Central Government has accepted the plea of the management that workman was retrenched in the year 1980. The dispute is whether after retrenchment of his services, new hands/juniors to the workman were appointed in violation of Section 25(H) of the Act?

Moreover, the workman also filed a petition under Section 33 (C)(2) of the Act, for commutation of his retrenchment compensation and some other amount of money. The petition has been allowed by this Tribunal and the retrenchment compensation which was found sort has been ordered to be paid to the workman. Thus, as stated earlier, the nature of retrenchment of the workman is not open to make a subject matter of the reference.

The only issue to answer in this reference is whether the management of B.B.M.B. has violated the right of the workman to get the work of similar nature on priority after his termination when new hands were recruited?

It is the contention of the workman that so many workers were appointed after his termination, even his juniors retained in service and he was not given the occasion to work after retrenchment. The management has opposed this plea on the contention that at the relevant time no seniority was maintained. Thus, there was no question for appointment of any junior to the workman. It was also contended by the management that retrenched from B.C.B. were appointed in B.B.M.B. as per the policy of B.B.M.B. Workman was not the retrench of B.C.B., hence, there was no violation of any right of the workman.

Parties were afforded the opportunity for adducing evidence. Oral evidence of both of the parties was recorded. Management of B.B.M.B. also preferred to file the documentary evidence which includes the policy of B.B.M.B. to make appointment of B.C.B. retrenched to B.B.M.B. The statement of working days has also been filed. It is not the issue before this Tribunal, whether the workman has completed 240 days of work in the preceding year from the date of his termination? As stated earlier, the issue is whether management is guilty of violating the provisions of Section 25 (H) of the Act? Workman in his

affidavit and cross-examination has categorically stated the names of his juniors and fresh appointees, appointed after the termination of the services of the workman. In its affidavit the management has not contended, even has not mentioned a single word except to refer that at the relevant time there was no policy for maintaining the seniority list. The management cannot be permitted to violate the provisions of the Act just on the ground that at the relevant time it was not bound to maintain the seniority list. Maintaining seniority list is an administrative act of the management and if the workman is able to prove that his juniors were appointed after his retrenchment, it will amount to the violation of Section 25(H) of the Act. The provisions of the Act cannot be put to the dead letter just on the ground that management, at the relevant time, was not maintaining the seniority list.

Moreover, the workman in his affidavit has also mentioned the names of persons who were recruited freshly by the management after his termination. Not a single word was asked in cross-examination of the workman, regarding such appointments. Thus, commutative effect of oral and documentary evidence of the parties is that junior to the workman and new recruitments were made by the management of B.B.M.B. after termination of the services of the workman. It is admitted by the management that after the retrenchment of the workman, he was not afforded any opportunity to work, whereas, work was available with the management. Thus, the management is guilty of violating the provisions of Section 25(H) of the Act.

The consequences of such violation will be that if the work is available with the management, the same should be directed to re-instate the services of the workman. It is undisputed that the work is still available with the management. Accordingly, the management is directed to re-instate the services of the workman on the same work, he was working at the time of his retrenchment, within one month from the publication of the award. Considering the facts and circumstances of the case and the fact that workman has not worked for a long time, I am of the view, that he will not be entitled for the back-wages. The reference is answered accordingly. Let Central Government be approached for publication of the award, and thereafter, file be consigned.

G.K. SHARMA, Presiding Officer

नई दिल्ली, 15 सितम्बर, 2009

का. आ. 2802.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं ई.सी.एल. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचाट (संदर्भ संख्या 21/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-9-2009 को प्राप्त हुआ था।

[सं. एल-22012/375/1999-आई. आर. (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 15th September, 2009

S.O. 2802.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 21/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on 15-9-2009.

[No. L-22012/375/1999-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

PRESENT : Sri Manoranjan Pattnaik, Presiding Officer.

Reference No. 21 of 2000

#### PARTIES:

Industrial Dispute between  
Management of Bejdih Colliery of ECL,  
Sodepur Sunderchak, Burdwan.

*Versus*

Thier Workman.

#### REPRESENTATIVES:

For the Management : P.K. Goswami, Advocate

For the Union (Workman) : R.K. Tripathi, Chief Org.  
Secretary, K.M.C.

INDUSTRY: Coal STATE: WEST BENGAL

Dated the 3-6-2009

#### AWARD

In exercise of powers conferred by clause (d) of sub-section (1) and Sub-Section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour vide its letter No. L-22012/375/1999-IR (C-II) dated 29-2-2000 has been pleased to refer the following dispute for adjudication by this Tribunal :

#### SCHEDULE

"Whether the action of the management of Bejdih Colliery of ECL in denying employment to the dependents of Sh. Ramnath Gareri and 4 others is legal and justified? If not, to what relief the workman is entitled?"

2. On the receipt of the Order No. L-22012/375/1999-IR (C-II) dated 29-2-2000 of the above mentioned reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 21 of 2000

was registered on 13-3-2000 and accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statement along with the relevant documents and a list of witness in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

3. The fact that entailed the present Industrial Dispute (I.D.) is that the workman Ramnath Gareri and nine others which include the five workmen of the present reference opted for voluntary retirement in response to a scheme U.G. Loader voluntary retirement scheme. They were medically examined and found unfit by the Company's Medical Board on 4-3-1989. Out of them five employees were granted the benefit and their dependants were given employment whereas the present workman were deprived of the same and hence the dispute.

4. The union alleged that there has been no valid reason for such discrimination. The union asserts that the matter was before the Hon'ble High Court at Calcutta and was taken up subsequently by the management and that the Dy. C.M.E./Agent, Bejdih-Methani Vide Note Sheet No. BM/C-6/5-B/1077 dated 23-7-1990 submitted the proposal to the HQ for approval but still workmen were not given the benefit.

5. The stand of the management is that the workmen were never found unfit and that they have completed their full term of service upto sixty years of age and were superannuated. The benefit clause of 9.4.3 NCWC-IV is not applicable to them and that there has been no discrimination to deprive them of the benefit.

6. On going through the records the evidence and upon hearing the Learned Advocate for the management and the Authorized Representative of the workman it is found that the present workman had applied for voluntary retirement under the scheme which is evident from Ext WE-1. The Dy. C.P.M. suggested for their medical examination by the Area Medical Board as back as 12-5-1989. The Superintendent/Manager vide WE-2 submitted details indicating service of notice of superannuation on four of the present workman. It is an admitted fact that there has been an understanding for holding medical examination of all the 10 persons even though they had crossed the 55 years. The delay was admittedly caused in sending proposal to the Head Quarter as the concern files were not traced as from Ext. WE-4. It clearly shows about holding of Medical Examination of the concerned workmen and the delay caused by the lapses of the establishment. The workman has not contributed to the same. It is the admitted fact that these workmen have not been found "Not fit for Loader's job" by the company's Medical Board on 4-3-89. There is no doubt that time was

allowed to elapse till the period of retirement of the workmen by the management deliberately or negligently whatever it might but had there been a decision on the matter in time it would not have deprived the workmen their lawful claims. Completion of full terms in service by the workman do not disentitle them from their right that accrued in their service period. Had their case been attended in all promptitude by the management things would have been otherwise. Hence, the stand taken by the management that the workmen are not entitled for the relief of employment of their dependent on ground of the workmen completed 60 years of full terms service is not tenable. That apart discrimination made is found glaringly as the five other workmen with same eligibility and circumstances have been offered employment for their dependants. In such circumstance it is held that the action of the management of Bejdih Colliery under M/s. E.C. Ltd. in denying employment to the dependant of Sh. Ramanath Gareri and 4 others under reference is not legal and justified. The management is required to grant and extend the same benefits that has been granted to other five concerned workmen without any sort of discrimination. Hence it is order.

#### ORDER

Let an award be and same is passed as above. Copy of the award be sent to the Ministry of Labour and Employment, Govt. of India, New Delhi.

MANORANJAN PATTNAIK, Presiding Officer

नई दिल्ली, 15 सितम्बर, 2009

का. आ. 2803.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं ई. सी. एल. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचाट (संदर्भ संख्या 42/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-9-2009 को प्राप्त हुआ था।

[सं. एल-22012/654/1997-आई आर (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 15th September, 2009

S.O. 2803.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 42/1998) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of ECL and their workman, which was received by the Central Government on 15-09-2009.

[No. L-22012/654/1997-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

**ANNEXURE****BEFORE THE CENTRAL GOVT. INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT, ASANSOL****PRESENT:**

Sri Manoranjan Pattnaik, Presiding Officer

Reference No. 42 of 1998

**PARTIES:**Industrial Dispute between Management of  
Kalipahari Colliery of M/s. ECL, Burdwan.

Vs.

The General Secretary, West Bengal Khan Mazdoor  
Sangh, Burdwan.**REPRESENTATIVES:**For the Management : Sri P. K. Goswami,  
Advocate.For the Union (Workman) : Sri N. Ganguly,  
Advocate.

Industry : Coal State : West Bengal

Dated the 10th June, 2009

**AWARD**

In exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour vide its letter No. L-22012/654/97-IR(C-II) dated 14-08-1998 has been pleased to refer the following dispute for adjudication by this Tribunal :

**SCHEDULE**

"Whether the action of the management of Kalipahari (R) Colliery of ECL in denying the difference of wages of Magazine Clerk to Sri Biman Bihari Gandhi, (appointed as Explosive Carrier) and also denying his regularization as Magazine Clerk and further transferring him as Underground Trammer to Ghusick Colliery are legal and justified? If not, to what relief the workman is entitled?"

On receipt the Order No. L-22012/654/97-IR (C-II) dated 14-08-1998 of the above mentioned reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 42 of 98 was registered on 24-08-1998 and accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

3. Shun of all details the case of the workman represented by the union is that the workman Biman Bihari Gandhi who worked as on Explosive Carrier was authorized by the Manager of concern colliery to work as Magazine Clerk in Damra unit of Kalipahari Area w.e.f. 22-1-1988. For some period he was transferred to Ghusick Colliery and again he was brought back to Damra in 1997. He was authorized to work as Magazine clerk. Having the requisite qualification for the said post the workman applied for his absorption but he was illegally transferred to Ghusick Colliery to work underground as a Trammer/Explosive Carrier instead of regularizing him in the said post and hence the dispute.

4. The simple case of the management as per averment is that the workman holds substantive post as Explosive Carrier and was posted at Damra Unit as such as. The Damra Colliery was closed and there has been no production there w.e.f. 24-4-1997 and consequently, there was no requirement of Magazine Clerk. Further, maintaining that the workman has not worked continuously from 27-1-08 and alleging long delay in raising such claim, the management urged that the workman is not entitled to any relief.

5. On going through the pleadings, documents of the parties, evidence laid down and upon hearing both the sides it is found that the management has not refuted the claim of the workman that he was deployed to work as Magazine Clerk. The letter Ext. W-3 amply proves this fact. It is found from his evidence that due to such deployment the allowance available to workman underground was stopped but he was not granted the scale of pay for the post of clerk. This has also not been refuted by the management at all. His evidence that there is still vacancies in Musilia Colliery has not been countered by the management. The management has also not produced, despite direction, the required official documents like Transit slip of Magazine, Store Trader slip, Ledger etc. in respect of deployment of the workman as Magazine clerk which would have of immense help to find the real position. The pay slips filed by the workman showing non-payment of underground worker like Explosive Carrier go to support his claim and adverse inference can be drawn against management for not filing the official documents supposed to be in their custody. The above facts and circumstances are indicative of injustice caused to the workman. The claim of requisite qualification to hold the post of clerk by the workman has not been challenged. The management by a passing remark and without any effort to substitute the fact has maintained that the workman has not continuously been deployed as a magazine clerk and at the same time with holding the pertinent documents without sufficient reason affirm the claim of the workman. In such circumstances it can safely be held that the employer management is not at all justified in denying the workman the difference of wages of magazine clerk and regularisation

of the workman in that post. Also the transfer of the workman to any other colliery to work underground amounts to deprival his lawful claim to work as magazine clerk and such action does not appear to be justified. Hence workman is entitled to relief he has sought i.e. to be absorbed as a magazine clerk with all service benefit from the date of his deployment. Accordingly an award needs to be passed. Hence ordered

### ORDER

Let an award as above be and same is passed. Send the copy of the award be sent to the Ministry of Labour and Employment, Govt. of India, New Delhi.

MANORANJAN PATTNAIK, Presiding Officer

नई दिल्ली, 15 सितम्बर, 2009

का. आ. 2804.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एफ. सी. आई. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 23/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-9-2009 को प्राप्त हुआ था।

[सं. एल-22012/29/1998-आई. आर. (सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 15th September, 2009

S.O. 2804.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 23/1999) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 15-09-2009.

[No. L-22012/29/1998-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

### ANNEXURE

**BEFORE SHRIGYANANDRA KUMAR SHARMA,  
PRESIDING OFFICER, CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,  
CHANDIGARH**

Case No. I.D. No. 23/1999

The Joint Secretary, FCI Workers Union, Camp Office,  
7901, Ramnagar, Naibasti, Paharganj, New Delhi.

.... Applicant

Versus

The Area Manager, Food Corporation of India, Karnal  
(Haryana)

.... Respondent

### APPEARANCES:

For the Workman : Sh. Chandan Kumar,  
Advocate.

For the Management : Sh. Parmod Jain,  
Advocate.

### AWARD

Passed on 2-9-2009

Government of India vide Notification No. L-22012/29/98/IR (CM-II) dated 22-12-1998 by exercising its powers under Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act) referred the following Industrial dispute for adjudication of this Tribunal :

"Whether the action of the management of Food Corporation of India, Haryana Region Chandigarh in not regularizing the services of 30 handling workers (list enclosed) is just and legal? If not, to what relief are the workmen entitled and from what date?"

On perusal of the pleadings of the parties, it is evident that the main issue for adjudication before this Tribunal is whether all the 30 claimants are entitled for the benefits of Haryana Government notification dated 29-11-1985 and the settlement entered into between Food Corporation of India (hereinafter referred to as the Corporation) and the Food Corporation of India Worker Union (hereinafter referred to as the Union) regarding their departmentalization, worked in Modern Rice Mill at Karnal and after closing of Modern Rice Mill in Shed No. 4 of the Food Storage Depot, Karnal? On perusal of the pleadings of the workmen, their case, in nutshell, is that the Corporation engaged the workmen to work in different Depots of Karnal, for the purpose of handling, transportation, stacking, de-stacking etc. of foodgrains including sugar. All the workers worked for the said purposes formed the union. The union, since its formation in the year 1965 has been constantly fighting for the exploitation of the workmen by the Corporation and its contractors for the purpose of getting fair wages and human and just working conditions. Bulk of handling workers in the Corporation were initially engaged through contractors and working as contract labour. The Union fight for abolition of contract labour system. In compliance of the orders passed by the Hon'ble the Apex Court in Writ Petition (Civil) No. 13508/83 filed by the Union. Government of Haryana on the recommendations of a Committee constituted under Section 5 of the Contract Labour (Regulation and Abolition) Act, 1970 abolishing the contract labour in Haryana vide Notification dated 29-11-1985 made under Section 10 of the Contract Labour (Regulation and Abolition) Act, in 22 Food Storage Depots including Railheads of the Corporation in Haryana Region. Even after a long time the Food Corporation of India could not implement the notification of Government of Haryana dated 29-11-1985 and after the long battle an agreement

was entered into between the Corporation and the Union on 12-04-1991. The benefits of agreement dated 12-04-1991 were given to the workers employed in Food Storage Depot, Karnal but it was not extended to the workers employed in Modern Rice Mill at Karnal, and after closure of this Mill in Shed No. 4. As per the contention of the workmen, the Corporation in conciliation proceedings accepted and admitted the demand and prayer of the Union to extent the benefit of Agreement dated 12-04-1991 to the workers working in Modern Rice Mill, Karnal and after its closure in Shed No. 4. But the Corporation did not honor its commitment and request of the Union, hence, Union raised the Industrial Dispute and on account of failure of conciliation report this reference.

The Corporation appeared and contested the claim by filing written statement. Apart from taking preliminary objections that none of the workman has completed 240 days of work in any calendar year and there is no employer-employee relationship between the workers and the Corporation etc., the Corporation contended that the benefit of the agreement dated 12-04-1991 was intended to be given only to the workers working in Food Storage Depot and not in Modern Rice Mill. The Corporation, as per its contention, has rightly refused to extend the benefit of Agreement dated 12-04-1991 to the workers working on contract in Modern Rice Mill, Karnal, because Modern Rice Mill was the independent unit and entity than Food Storage Depot at Karnal. Head of the Department of both of the units namely; Food Storage Depot and Modern Rice Mill were different officers, their working was different and they cannot claim parity with the workers working on contract with Food Storage Depot. The Corporation has further contended that the workers, worked in Food Storage Depot were engaged in Shed No. 1, 2 and 3 and after closure of the Modern Rice Mill the Shed No. 4 was used for the contract labour working with the Mill. The permanent staff of Modern Rice Mill was adjusted/shifted somewhere else and the contract labour cannot claim parity with the permanent staff.

Parties were afforded opportunity for adducing and filing evidence. Oral evidence was recorded and all the documents, which are relevant for the adjudication for this reference, have been filed by the parties. Parties were heard at length. I have also perused entire materials on record. So far as the preliminary objections are concerned, I am of the view that the objections are the matter of routine and have no nexus with the main issue, which is referred for adjudication of this Tribunal. The issue of Master and servant relationship has not to be adjudicated in this reference, but this Tribunal is obliged to answer the issue whether the Corporation has rightly rejected the claim of the workman for extension of the benefits of agreement dated 12-04-1991 to the contractual labour working in Modern Rice Mill, Karnal at par with the contractual labour working in Food Storage Depot, Karnal? For answering

this issue, this Tribunal has to see the language of the Notification issued by Government of Haryana regarding abolition of contract labour and the agreement executed and signed between the Corporation and the Union. On careful perusal of the notification, I am unable to find a single word of differentiation by the Government of Haryana in prohibiting the contract labour working in Modern Rice Mill and Food Storage Depot, Karnal. As admitted by the Corporation, two units are different, but the part of Corporation. The Haryana Government, while issuing the notification for abolition of contract labour has not intended to make a difference in these two units for the purpose of abolition of contract labour. There is a plain Notification dated 29-11-1985 for abolition of contract labour in 22 Food Storage Depots including Railheads in the State of Haryana. The name of Karnal found placed at serial No. 7. There is no mention about the Modern Rice Mill in this notification. It is the principle of interpretation of statute that beneficial legislation has to be interpreted liberally. It is also the settled rule of interpretation that when the language of any enactment, rule or regulation is simple and plain and is capable of bearing one meaning only, then that one meaning has to be adopted by the Corporation or the adjudicatory authorities. It is in the case of two interpretations of any word or phrase that interpretation, which is for the benefit of deprived class, is to be adopted and taken to answer the meaning of a particular phrase. The question before this Tribunal, which is raised by the Corporation is that Modern Rice Mill is not included in the Food Storage Depot. The Corporation has tried to justify this contention on the grounds that in notification dated 29-11-1985, there is no mention of the contract workers working with Modern Rice Mill. When interpretation of any notification is to be taken by the Tribunal, it has to be read in entirety. A particular clause or phrase should not be read in isolation. On perusal of entire notification, the intention of the Haryana Government is very well reflected that it was for the purpose of giving a benefit to the workers who were working as contract labour in Karnal. The intention to make any difference between the contract workers working in Food Storage Depot and Modern Rice Mill is not reflected. As stated earlier, that beneficial legislation and scheme has to be interpreted liberally and should not go beyond the intention of legislature and scheme. Intention of the legislature, as stated earlier, is very much reflected that all the workers working with the Corporation as contract labour in Karnal are prohibited under Section 10 of the Contract Labour (Regulation and Abolition) Act, 1970. Thus, I am not inclined to accept the contention of the management that the benefit of Notification of Haryana Government cannot go to the contract workers working in Modern Rice Mill.

Likewise, agreement entered into in between Union and the Corporation on 12-04-1991, does not contained a single word for not extending the benefit of this agreement



to the workers working on contract in Modern Rice Mill. It is not open for the Corporation to refuse the benefit of this agreement on the grounds that Modern Rice Mill is/was not part of the Food Storage Depot. On perusal of the entire materials on record, particularly the oral evidence adduced by the parties, I am of the view that the work of contract workers working in Food Storage Depot and working in Modern Rice Mill has the close nexus. Moreover, as per the evidence given by the management, on closure of Modern Rice Mill, the contract labour working with the Modern Rice Mill was not terminated but provided with the work of Food Storage Depot in Shed No. 4. The Shed No. 4 is a part and parcel of Food Storage Depot as Shed No. 1, 2 and 3 and it cannot be stated that Shed No. 4 is attached with the premises of Modern Rice Mill. It is true that Food Storage Depot and Modern Rice Mill are independent units, but there working is so closed that Corporation was not justified to make a distinction between the contract labour working in two units and entities. It was not the intention of the agreement dated 12-04-1991 that the contract labour working with Modern Rice Mill shall be excluded from the benefit. At the cost of repetition, this agreement has to be interpreted liberally and plain and liberal construction of this agreement dated 12-04-1991 itself speaks that contract workers working in Modern Rice Mill are also entitled for the benefit of this agreement.

This view of the Tribunal is further corroborated by a decision taken by the Manager of the Association in conciliation proceedings to extend the benefit of this agreement to the contract labour working in Modern Rice Mill, Karnal. There is no occasion for the management to

go back even to the position of pre Haryana Government Notification. Thus, after notification of the Haryana Government dated 29-11-1985, and the agreement between the Union and the Corporation dated 12-04-1991, there was no occasion for the Corporation to deny the benefit of this agreement regarding the departmentalization of labour with effect from 01-01-1991. The plain reading of this agreement also shows that the benefits and facilities mentioned in this agreement were extended and given even to those Food Storage Depots, which were not included in the notification of the Haryana Government, meaning thereby, few Food Storage Depots in which the labour was not abolished by the appropriate Government, the benefit of the agreement was extended, whereas, for Karnal the contract labour was abolished and Corporation cannot justify itself by not extending this agreement to the contract labour working in Modern Rice Mill and after the closure of the Mill were engaged in Shed No. 4.

Thus, on the basis of the discussion made in the body of this award, I am of the view that all the 30 workmen (List enclosed) are entitled for the benefit of Notification dated 29-11-1985 and Agreement dated 12-04-1991. Accordingly, the Corporation is directed to extend the benefit of departmentalization to all the 30 workmen with effect from 01-01-1991 within three months from the date of publication of this Award. The reference is answered accordingly. Let the Central Government be approached for publication of the award, and thereafter, the file be consigned to record room.

G. K. SHARMA, Presiding Officer.

#### LIST OF WORKERS WORKING AT MODERN RICE MILL, KARNAL

| Sl. No. | Name of Workers       | Year of Appointment | Father's Name         |
|---------|-----------------------|---------------------|-----------------------|
| (1)     | (2)                   | (3)                 | (4)                   |
| 1.      | Sri Panchu Ram Paswan | 1980                | Sri Bunel Paswan      |
| 2.      | Rambali Paswan        | 1980                | Sri Bilat Paswan      |
| 3.      | Sri Rashid Ali        | 1980                | Sri Mohd. Ibrahim     |
| 4.      | Sri Bhola Ram         | 1980                | Sri Samali Ram        |
| 5.      | Sri Pramod Sahni      | 1980                | Sri Indradev Sahni    |
| 6.      | Sri Mantun Sahni      | 1980                | Sri Ram Sagar Sahni   |
| 7.      | Sri Janardan Mahto    | 1980                | Sri Bhonu Mahto       |
| 8.      | Sri Rambahadur Mahto  | 1980                | Sri Dukhi Mahto       |
| 9.      | Sri Sitaram Chouhan   | 1980                | Sri Raghunath Chouhan |
| 10.     | Sri Shankar Chouhan   | 1980                | Sri Rohan Chouhan     |



| (1) | (2)                    | (3)  | (4)                  |
|-----|------------------------|------|----------------------|
| 11. | Sri Rajendar Mahto     | 1980 | Sri Hari Mahto       |
| 12. | Sri Jatan Mahto        | 1985 | Sri Badiyun Mahto    |
| 13. | Sri Sulender Mahto     | 1985 | Sri Baleswar Mahto   |
| 14. | Sri Sahadev Chouhan    | 1985 | Sri Prasadi Chouhan  |
| 15. | Sri Devniti Paswan     | 1985 | Sri Ramsewak Paswan  |
| 16. | Sri Pappu Paswan       | 1985 | Sri Ramsewak Paswan  |
| 17. | Sri Jayram Sahni       | 1985 | Sri Laxmi Sahni      |
| 18. | Sri Deonandan Sahni    | 1985 | Sri Shiv Dev         |
| 19. | Sri Radhakrishna Sahni | 1985 | Sri Rameshwar Sahni  |
| 20. | Sri Ramgulam Paswan    | 1985 | Sri Chando Paswan    |
| 21. | Sri Upendar Yadav      | 1985 | Sri Unnat Yadav      |
| 22. | Sri Ramayan Paswan     | 1985 | Sri Krupal Paswan    |
| 23. | Sri Chauhan            | 1985 | Sri Itwari Chouhan   |
| 24. | Sri Bonod Kumar        | 1985 | Sri Krishna Chouhan  |
| 25. | Sri Madeswar Chouhan   | 1985 | Sri Siv Chouhan      |
| 26. | Sri Rambrikh Chouhan   | 1985 | Sri Ramrup Chouhan   |
| 27. | Sri Kaleswar Prasad    | 1985 | Sri Sivbalak Mahto   |
| 28. | Sri Sarban Kumar       | 1985 | Sri Kishori Mahto    |
| 29. | Sri Sahinder Mahto     | 1985 | Sri Bachan Mahto     |
| 30. | Sri Janardan Chouhan   | 1985 | Sri Chalitar Chouhan |

नई दिल्ली, 16 सितम्बर, 2009

## ANNEXURE

का. आ. 2805.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल बैंक ऑफ इण्डिया के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में श्रम न्यायालय, पटना के पंचाट [संदर्भ संख्या 74(सी)/2008] को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-9-2009 को प्राप्त हुआ था।

[सं. एल-12011/55/2008-आई. आर. (बी-II)]

राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 16th September, 2009

S.O. 2805.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award [Ref. No. 74(C)/2008] of the Labour Court, Patna now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Bank of India and their workman, which was received by the Central Government on 16-09-2009.

[No. L-12011/55/2008-IR (B-II)]  
RAJINDER KUMAR, Desk Officer

## BEFORE THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, PATNA

Reference Case No. 74(C) of 2008

Between the Zonal Manager, Central Bank of India, Zonal Office, 2nd Floor, Block-B, Maurya Lok Complex, Dak-Bungalow Road, Patna and their workman Sri Ravindra Kumar Gupta, represented by the Deputy General Secretary, Industrial Mazdoor Congress, 204, Friends Garden Apartment, Road No. 2, Extension Rajbanshi Nagar, Patna.

For the Management : Shri S.N. Singh, Sr.  
Manager, Central Bank of  
India, Katihar.

For the Workman : Shri D. Ram, Authorised  
Representative.

## PRESENT:

Shri Birendra Singh, Presiding Officer, Industrial  
Tribunal, Patna.

**AWARD**

Patna, dated the 7th September, 2009

By adjudication order No. L-12011/55/2008-IR (B-II) dated 26-8-2008, the Govt. of India, Ministry of Labour, New Delhi under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (hereinafter called 'the Act' for brevity) has referred the following dispute between the Zonal Manager, Central Bank of India, Zonal Office, 2nd Floor, Block-B, Maurya Lok Complex, Patna and their workman Sri Ravindra Kumar Gupta, represented by the General Secretary, Industrial Mazdoor Congress, Patna for adjudication to this Tribunal on following :

"Whether the action of the management of Central Bank of India, Regional Office, Purnea in terminating and not reinstating and regularizing the service of Sri Ravindra Kumar Gupta working as daily wage worker in Class-IV subordinate staff without complying Section 25F of I.D. Act is justified and legal ? What relief the workman concerned is entitled to ?"

2. Both the parties appeared on notice and filed statement of claim and the written statement.

3. On last several dates neither workman is present nor his representative appears no any steps has been taken. I presume that the workman or his representative is not interested to pursue this reference and has nothing to say in his favour. Under the circumstances, I hereby pass a "No Dispute Award" in the circumstances above.

3. And this is my Award.

BIRENDRA SINGH, Presiding Officer

नई दिल्ली, 16 सितम्बर, 2009

का. आ. 2806.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मुम्बई पोर्ट ट्रस्ट के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-2, मुम्बई के पंचाट (संदर्भ संख्या 2/17/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-9-2009 को प्राप्त हुआ था।

[सं. एल-31011/22/2007-आई. आर. (बी-II)]

राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 16th September, 2009

S.O. 2806.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, the Central Government hereby publishes the Award (Ref. No. 2/17/2008) of the Central Government Industrial Tribunal No. 2, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Mumbai Port Trust and their workman, which was received by the Central Government on 16-9-2009.

[No. L-31011/22/2007-IR (B-II)]

RAJINDER KUMAR, Desk Officer

**ANNEXURE**

**BEFORE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL NO. 2, MUMBAI**

**PRESENT**

A. A. Lad, Presiding Officer

Reference No. CGIT-2/17 of 2008

Employers in relation to the management of Mumbai Port Trust

The Chairman,  
Mumbai Port Trust,  
Port Bhavan, S. V., Marg,  
Ballard Estate,  
Mumbai-400 001

..... First Party

V/s

Their Workmen

The Secretary,  
Mh. P. T. Dock & General Employees Union,  
Port Trust Kamgar Sadan,  
Nawab Tank Road, Mazgaon,  
Mumbai-400 010

..... Second Party

**APPEARANCE**

For the Employer : Shri M. B. Anchan,  
Advocate

For the Workman : Absent

Date of passing the Award : 12-8-2009

**AWARD**

The matrix of the facts as culled out from the proceedings are as under :

1. The Government of India, Ministry of Labour by its Order No. L-31011/22/2007-IR (B-II) dated 21st February, 2008 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Mumbai Port Trust by terminating the services of Shri Shreenadhudu Raidu, Store Worker w.e.f. 19-3-2004 is justified ? If not, what relief the Union is entitled to ?"

2. Notice was sent to the 2nd Party and was served on Union vide Exhibit 3. However, nobody appeared in the proceedings from 2nd Party. No steps were taken by 2nd

Party to file Claims Statement. It led me to pass the following order :

### ORDER

Reference is disposed off for want of prosecution.

Bombay,  
12th August, 2009

A. A. LAD, Presiding Officer

नई दिल्ली, 16 सितम्बर, 2009

का. आ. 2807.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं डब्ल्यू. सी. एल. के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 97/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-9-2009 को प्राप्त हुआ था।

[सं. एल-22012/27/2005-आई. आर. (सी एम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 16th September, 2009

S.O. 2807.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 97/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the Industrial Dispute between the management of Western Coalfields Limited, and their workmen, which was received by the Central Government on 16-9-2009.

[No. L-22012/27/2005-IR (CM-II)]  
AJAY KUMAR GAUR, Desk Officer

### ANNEXURE

BEFORE SHRI A.N. YADAV, PRESIDING OFFICER,  
CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/97/2005

Date: 28-8-2009

Petitioner/  
Party No. 1 : The General Secretary,  
Sanyukta Koyla Mazdoor  
Sangh (AITUC),  
Central Office: CRO Camp,  
Ikalhara,  
Chhindwara (on behalf of Shri  
Jamna Prasad)

*Versus*

Respondent/  
Party No. 2 : The General Manager,  
Pench Area of WCL,  
PO: Parasia,  
Distt. Chhindwara (M.P.)

### AWARD

(Dated : 28th August, 2009)

1. The Central Government after satisfying the existence of dispute between the General Secretary, SKMS (AITUC), CRO Camp, Ikalhara, Chhindwara (on behalf of Shri Jamna Prasad) (Party No. 1) and the General Manager, Pench Area of WCL, Parasia, Chhindwara (Party No. 2) referred the same for adjudication to this Tribunal vide its letter No. L-22012/27/2005/IR (CM-II) dated 28-11-2005 under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) with the following schedule:

2. क्या प्रबंधन महाप्रबंधक, वेस्टर्न कोलफील्ड लिमिटेड, पेंच एरिया पोस्ट परासिया जिला छिंदवाडा म.प्र. के प्रबंधन द्वारा श्री जमना प्रसाद आत्मज श्री ब्रजलाल एम. पी. आर. टो. नं. 716 विष्णुपुरी भूमिगत खान नं. 1 को 15-6-2001 के आदेश द्वारा सेवा समाप्ति के दंड से दंडित किये जाने की कार्यवाही न्यायोचित है? यदि नहीं तो संबंधित कर्मकार किस अनुतोष का हकदार है?

3. The Petitioner Shri Jamna Prasad, Token No. 716 was working as a Ex-M.P.R. in Vishnupuri Mine No. 1 of Pench Area has raised the dispute before the ALC and on failing of the conciliation proceeding, the Government had referred it to the CGIT. During the pendency of the dispute i.e. reference No. 97/2005 on 7-7-2009 both the parties settled it amicably outside the Court. They arrived at following certain conditions.

#### Terms and Conditions:

1. Shri Jamna Prasad S/o Brijlal, Ex-MPR, Vishnupuri Mine No. 1 of Pench Area will be re-employed afresh as General Mazdoor in Cat-I for underground mine of Pathakhara Area and he will be paid initial basic of Cat. I (UG).
2. Such re-employment will be subject to medical fitness so certified by the Company Doctor.
3. Shri Jamna Prasad S/o Brijlal, Ex-MPR, Vishnupuri Mine No. 1 of Pench Area shall remain on probation for a period of one year from the date of joining and he has to put in minimum 190 days of attendance in a year. In case his attendance and general performance is not found satisfactory by the management, his services shall automatically stand terminated without any enquiry or assigning any reason thereof.
4. Shri Jamna Prasad S/o Brijlal, Ex-MPR, Vishnupuri Mine No. 1 of Pench Area shall be entitled only for continuity of service for the limited purpose of gratuity and this will be a full and final settlement. Further, the benefit of continuity of service will not be extended in such case whether the person has been paid gratuity payment. This shall be full and final settlement and no further claim what so ever shall be made in future.

5. The period from the date of termination till re-employment and joining on his duty will be treated as dies-non on the principle of no work no pay.
6. Form-H settlement individually or through union, incorporating the above terms and conditions for entering into employment and the same will be sent for registration to the Labour machinery.
7. In case any dispute is pending before the CGIT, the re-employed person should withdraw the same from CGIT by filing a copy of settlement for consent award. If any matter is pending before any other courts, the union/ex-employee will withdraw the case from the concerned court. The case No. NGP/97/05 of Shri Jamna Prasad S/o Brijlal is pending before the Hon'ble Court of Nagpur.
8. He shall have no right to apply for VRS at later stage.

The parties have produced the pursis before the Court on 25-8-2009. They agreed it before the Court and requested for the Award in that terms. I accepted it and recorded the compromise Award in the terms of it. Consequently, there remained no dispute due to the compromise. Hence, this no dispute Award.

Date : 28-8-2009      A. N. YADAV, Presiding Officer

नई दिल्ली, 16 सितम्बर, 2009

का. आ. 2808.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बज्रा स्टेशन कैटीन के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 17/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-9-2009 को प्राप्त हुआ था।

[सं. एल-14012/51/2004-आई आर (डी. यू.)]  
सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 16th September, 2009

S.O. 2808.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 17/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Cantonment Board and their workman, which was received by the Central Government on 16-9-2009.

[No. L-14012/51/2004-IR (DU)]  
SURENDRA SINGH, Desk Officer

## ANNEXURE

### BEFORE SHRI GYANANDRA KUMAR SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1, CHANDIGARH

Case I.D. No. 17/2005

Shri Ganesh Kalia,  
S/o Shri Mulk Raj Kalia,  
C/o Shri J. C. Bhardwaj,  
President HPATTUC,  
HQ Saproon,  
Solani, (Himachal Pradesh)      . . . . . Applicant

*Versus*

1. The Chairman,  
Managing Committee,  
'Cell' Canteen,  
105, Vayu Raksha Regiment,  
C/o 56 APO
2. The Chairman,  
Managing Committee Canteen,  
715 (1) Ad, Brigade  
C/o 56 APO
3. The Manager,  
Vajra Canteen Una (HP)      . . . . . Respondents

## APPEARANCES

For the Workman : Shri J. C. Bhardwaj  
For the Management : Shri Sanjeev Sharma

## AWARD

Passed on 26-8-2009

Government of India vide Notification No. L-14012/51/2004-IR (DU) Dated 6-4-2005, by exercising its powers under Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act) referred the following Industrial dispute for adjudication of this Tribunal :

"Whether the action of management of Vajra Station Canteen, Una in terminating of the services of Sh. Ganesh Kalia w.e.f. 29-5-2000 without notice and without any payment of retrenchment compensation is legal and justified? If not, to what relief the workman is entitled and from which date?"

From the perusal of statement of claim, it is evident that the contention of the workman is that vide appointment letter No. 1554/1/Cell/PC/CC/02 dated 27-10-1990, he was appointed on the designated permanent post of Salesman at Una (HP). After appointment, the workman was pressurized to sign a so-called Agreement, which was not signed wilfully by the workman but under duress. This agreement was not valid and genuine, which is against the public policy. The service conditions of the workman were changed by the management, which in violation of the provisions of the Act. He was appointed against the

working post in 5 lakh M.T. Una but had to work Sub Area Ambala Cant with respondent No. 1 to 4. The workman was in the regular service of the management and had completed 240 days in several calendar years, he worked with the management. His termination was illegal being against the provisions of articles 14, 16, 21 and 41 of the Constitution of India. His juniors were retained in the service. New hands were recruited, whereas his services were terminated. The workman is the Government servant and is governed under CCA Rules being this establishment duly covered under the Shops and Commercial Establishments Act. On the basis of above facts, the workman has requested for setting aside his termination order and for reinstatement of services with full back wages and consequential reliefs.

The management has raised the preliminary objections that it is not an industry as per the definition of the industry given in the Act. It is also contended by the management in its written statement that the appointment of the workman was purely contractual and on expiry of the term of contract his services automatically come to an end, and he was not accordingly, terminated by the management. It is also contended by the management that these canteens have been established and maintained for the welfare of the military personnel and the persons appointed to run the administration of the canteens are bound by the terms and conditions of the appointment letter.

Both of the parties were afforded the opportunity of adducing evidence. Workman and management both filed their respective affidavits, which were treated as the examination-in-chief. The workman, Shri Ganesh Kalia, was cross-examined by the management, but the witness of the management could not turn up and vide order dated 20-5-2009 evidence of the management was closed with an order that the affidavit filed by it shall not be considered, because the witness was not put to cross-examination.

Certain documents were also filed by the parties. Three appointment letters are on record. The first appointment letter is dated 20-11-94 and second and third is dated 6-9-1994 and 11-9-1995 respectively. I have heard learned counsel for the parties and perused entire materials on record.

Workman has relied upon a judgment of Hon'ble Apex Court published in 2001-LAVIC (SC)-488, Union of India and others Vs. F. Aslam and others. The workman has also provided a zeroex copy of terms and conditions of service of URC Employees. Apart from it, the workman has also relied upon 2005-LLR, 417, A. C. Sharma Versus Delhi Stock Exchange and 2007-LLR 322, Punjab National Bank and others Versus Dev Dutt Sharma and others.

I have gone through the principles of law laid down by the Hon'ble the Apex Court and Himachal Pradesh High Court, as relied upon the workman.

The first issue to be decided by this Tribunal is whether the management of canteen is an industry and this Tribunal has jurisdiction to answer the reference? Whether a particular organization is an industry or not is settled by Hon'ble the Apex Court in Bangalore Water Supply & Sewerage Board Versus A. Rajappa & Others AIR, 1978-SC-548. If the principals laid down by Hon'ble Apex Court in Bangalore Water Supply case (supra), the industrial character of any organization can be seen on the basis of activities carried on and functions discharged by it. The function of the canteen is to provide the services to the military persons by supplying certain commodities of public utility. On the basis of the functions discharged and activities carried on by the canteens, I am of the view that the management of canteen cannot seek exemption from the definition of industry as given by Hon'ble Apex Court in Bangalore Water Supply and Sewerage Board's case. It is the contention of the management that sovereign function is discharged by the management and as such it is exempted from the definition of industry. I am not inclined to accept this contention on the basis of activities of the canteen and services discharged by it. Accordingly, the management of canteen is an industry as per the definition of industry given in the Industrial Disputes Act and in Bangalore Water Supply and Sewerage Board's case (supra).

It is the settled principle of service jurisprudence that if the relief claimed by any workman could only be given under the provisions of the Industrial Disputes Act, the Tribunal constituted under the provisions of the Act has the jurisdiction to redress the same. The relief sought by the workman in the claim objection in question can only be granted under the provisions of Industrial Disputes Act; accordingly, this Tribunal has got the jurisdiction to adjudicate the matter and to redress the grievances of the workman.

By the appointment letters available on record, it is evidently clear that workman was appointed for a fixed period, which was extended from time to time and on every extension, a fresh appointment letter for a fixed period was given by the management. The workman has challenged it as the agreement under duress. Where any party to the instrument challenged, the terms and conditions of the same on the grounds of its execution under duress, he has to prove the duress. There is not a single word in statement of claim and affidavits filed by the workman about the nature of duress. There is not an iota of evidence on record to prove the circumstances, which can explain the nature of transaction as duress.

The workman has relied upon a judgment of Hon'ble the Apex Court published in 2001 LAVIC-SC-488, Union of India & Others Versus F. Aslam & Others. In this judgment, the Apex Court disposed of several Civil Appeals against the judgment of Central Administrative Tribunal. On the issue whether the workman serving in Unit Run Canteen (in question) are the Government employee? Hon'ble Apex Court answered in positive that the workman working or

employed in Unit Run Canteens are Government servants. It is also held by the Apex Court that by itself if so only would not entitle them getting all the service benefits, which are available to Government servants or its counterparts serving in the canteens. It would necessarily depend upon the nature and duties discharged by them as well as on the rules and regulations and administrative Instructions issued by the employer. Hon'ble Apex Court also directed the Ministry of Defence, Union of India, to determine the service conditions of the employees at the Unit Run Canteens at an early date, preferably within one month from the date of judgment. In another appeal against the order of Central Administrative Tribunal, Jodhpur Branch, in the same judgment, the Hon'ble Apex Court has also held that notwithstanding the fact and that we have recorded the conclusion with the employees serving in Unit Run Canteens could be treated as Government servants but that does not necessarily mean that the service conditions of such employees are covered by fundamental rules. It will be open for the employer to frame separate conditions of service of the employees or to adopt the fundamental rules. There is no decision of the employer that fundamental rules would be applicable to said employees and in the absence of such decision, the Tribunal was not justified to direct that the question of payment of subsistence allowance should be reviewed in accordance with the provisions contained in the fundamental rules.

Hon'ble Apex Court by holding the jurisdiction of Central Administrative Tribunal on the basis raised before the Central Administrative Tribunal set aside the part of the order directing for reviewing the payment of subsistence allowance in terms of fundamental rules.

The rest two judgments relied upon by the workman are on the different issues that if the termination is held up illegally by this Tribunal, a reasonable compensation may be an alternative remedy.

First of all, this Tribunal has to consider whether the termination of the workman was illegal being against the provisions of the Act and the rules of the department?

After the judgment of Apex Court in *Union of India & Others Versus F. Alsam & Others* (supra, Ministry of Defence, Government of India framed service rules regarding the terms and conditions of Services of Unit Run Canteen's employees. I have also gone through all the rules. These rules provide for payment of salary, other allowances etc., but are silent on the nature of appointment to be made by management of canteen. Thus, the validity and legality of appointment is to be settled by this Tribunal on the basis of letters issued to the workman from time to time. The workman has worked in different canteens on different appointment letters (contract). The workman has to work on different canteens because of administrative exigencies as by the administrative decision, separate canteens were established.

I have gone through all the appointment letters issued to the workman. Every appointment was given for a fixed period and on fixed wages. The services of the workman were retrenched before issuing the terms and conditions of service of Unit Run Canteen employees by the Defence Ministry in compliance of the judgment of Hon'ble apex Court in *Union of India & Others Versus F. Aslam & Others* (supra). The condition number one is that on expiry of the term of contract, the time of contract shall automatically lapse/expires. There are so many other modes for termination of the workman by giving one month's notice, but it is specifically mentioned in every contract, which was based for providing the service to the workman that on the expiry of the term of contract, the contract will automatically lapse/expires. Thus, on expiry of the contract, the services of the workman terminated automatically and no order in this regard was required to be passed.

It is true that vide judgment of Hon'ble Apex Court in *Union of India & Others Versus F. Aslam & Others* (supra), the workman is a Government servant but Hon'ble Apex Court has specifically mentioned in the said judgment that the workman will not be covered by fundamental rules nor he will be at liberty to claim the parity in the matters of wages and allowances of the Central Store Department. Under such circumstances, the disengagement of the services of the workman, as stated earlier, has to be seen on the basis of terms and conditions of the appointment letter. The appointment letters specifically mention that on expiry of term of contract, the contract will lapse/expire automatically. The workman has challenged the nature of contract on the ground of its execution under duress. As stated earlier, there is no iota of evidence to prove the content of duress. Accordingly, for the period the workman remained in the service shall be treated as the Government servant as per the judgment of Hon'ble Apex Court in *Union of India & Others Versus F. Aslam & Others* (supra) but the services of the workman came to an end automatically on expiry of the term of contract as per the law laid down by Hon'ble Apex Court in the said judgment. At the cost of repetition in the said judgment the Hon'ble apex Court has specifically mentioned that the fundamental rules will not be applicable in the case of workman working in the Unit Run Canteens and such workman cannot claim parity with the employees of Canteen Store Department, which is a part of Ministry of Defence in the matter of pay and allowances.

Thus, on the basis of the above observations, I am of the view that services of the workman automatically terminated on expiry of term of contract and his services were not retrenched by the management of Vajra Station Canteen. Reference is answered accordingly. The workman is not entitled to any relief. Let Central Government be approached for publication of Award, and thereafter, file be consigned to record room.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 17 सितम्बर, 2009

का. आ. 2809.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ऑर्डनैन्स फैक्ट्री के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण लखनऊ के पंचाट (संदर्भ संख्या 181/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-9-2009 को प्राप्त हुआ था।

[सं. एल-14012/59/2000-आई आर (डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 17th September, 2009

S.O. 2809.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 181/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Ordnance Factory and their workman, which was received by the Central Government on 17-9-2009.

[No. L-14012/59/2000-IR (DU)]

SURENDRA SINGH, Desk Officer

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT : Shri N. K. Purohit, Presiding Officer

I.D. No. 181/2000

Ref. No. L-14012/59/2000-IR (DU) dated : 31-10-2000

#### BETWEEN

Sh. Abhimanyu S/o Sh. Ram Kishan Through  
Smt. Sushila Singh, 116/209B, Rawatpur Village,  
Kanpur (U.P.)

#### AND

The General Manager Ordnance Factory, Kanpur  
(U.P.)

#### AWARD

I. By Order No. L-14012/59/2000-IR (DU) dated : 31-10-2000 the Central Government in the Ministry of Labour, New Delhi is exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between Sh. Abhimanyu S/o Sh. Ram Kishan through Smt. Sushila Singh, 116/209B, Rawatpur Village, Kanpur and the General Manager, Ordnance Factory, Kanpur for adjudication.

2. The reference under adjudication is as under :

“Whether the action of the General Manager, Ordnance Factory, Kanpur in terminating the services of their workman Sh. Abhimanyu w.e.f. 10-6-95 is legal and justified ? If not, to what relief the workman is entitled ?”

3. In nutshell the facts are as under;

Sh. Abhimanyu was worker in Ordnance Factory, Kanpur. Charge sheet dt. 23-9-93 was served to him for the following alleged misconduct :

“Sh. Abhimanyu while functioning as M. Boy, EAO during the period of his employment absented unauthorisedly and was in habit of absenting from duty without prior intimation/sanction of leave in as much as he has absented for 308 days on 41 occasions during the period from 14-1-92 to 27-7-93 in violation of leave rules.”

4. The workman in his statement of claim alleged that during enquiry reasonable opportunity to defend himself was not afforded to him and enquiry was conducted ex-party without applying the principle of natural justice, without application of mind and in a very arbitrary manner. He further alleged that the findings of the enquiry officer are based upon surmises and conjuncture only and are patently illegal and perverse.

5. In rebuttal, the management has denied the above allegations and submitted that the workman did not reply the charge-sheet inspite of reminders. He did not furnish his reply of defence during departmental enquiry. Neither he appeared before the enquiry officer nor he produced any defence for defending the charges, therefore, witness were examined in ex-party proceeding and the enquiry officer found him guilty for the alleged charges ultimately his services were terminated vide impugned order dt. 10-6-95. The following preliminary issues were framed on 3-7-2003 :

1. Kya Karamkar to Vibhagiya Janch mein bachav ka upyukt awasar nahi diya gaya ?

2. Kya vibhagiya janch nyay ke nesargik sidhantu ke khilaf ki gay ? Yadi han to prabhav ?

6. Vide order dt. 3-1-2005 both the preliminary issues have been decided against the workman.

7. Subsequent to the decision on the preliminary issues, the workman has filed his affidavit whereas despite opportunity provided to the management, no evidence has been adduced by the management.

8. None appeared on behalf of the management therefore heard the learned representative on behalf of the workman and perused the relevant material on record.



9. The only question thus survives for consideration, is whether the punishment of terminating the services of the workman for the alleged misconduct is disproportionate to the delinquent workman in view of the alleged misconduct against him.

10. Learned representative on behalf of the workman submitted that the workman joined services in the year 1986 and his service have been terminated in the year 1995 vide impugned order for the charge of remaining absent during the period 14-1-92 to 27-7-93 for total 308 days on different occasions. He has submitted that punishment of termination of services is wholly disproportionate. The punishment awarded should be commensurate with gravity of charges levelled against the delinquent therefore, under Section 11A this Tribunal has ample power to award any lesser punishment. He has further requested that the workman may be reinstated without back wages but with continuity of service. In support of his contentions reliance has been placed on the following case law :

1. 1989 SCC (L&S) 180 Scooters India Ltd., Lucknow Vs. Labour Court & others.
2. 1984 SCC (L&S) 33 Jitendra Singh Rathor Vs. Baid Nath Ayurved Bhawan.
3. 2009 (1) SCC (L&S) Managing Director, Balasaheb Desai Sahakari S. K. Ltd. Vs. Kashinath Ganapati Kambale

11. Under Section 11A of the I.D. Act, the Tribunal has been empowered to set aside the order of dismissal and direct reinstatement of the workman on such terms and conditions, if any, as it thinks fit or give such relief to the workman including the award of any lesser punishment in lieu of discharge or punishment as the circumstances of the case may require.

12. In 1989 SCC (L&S) 180 Hon'ble Apex Court held that the charges framed against the respondent pertaining to acts of major misconduct and all the charges were found proved in the respective enquiries, the Labour Court held that the enquiry having conformed to the statutory prescriptions and the principles of natural justice, were not vitiated in any manner and as such the findings rendered by the enquiry officer and accepted by the Disciplinary Authority were not open to challenge. However, the Labour Court observed that ends of justice would meet, if back wages to the extent of 75% are allowed to the workman. The Hon'ble High Court declined to quash the award of the Labour Court. While dismissing the management's appeal, the Hon'ble Apex Court held that Labour Court had not exercised his power under Section 6(2-A) in arbitrary and judicial manner.

13. In 1984 SCC (L&S) 333 the alleged misconduct against the workman was found proved but order of dismissal set aside and workman was reinstated with half back wages by the Tribunal under Section 11-A. Hon'ble

Apex Court held that under Section 11-A wide discretion has been vested in the Tribunal in the matter of awarding relief according to the circumstances of the case.

14. In 2009 (1) SCC (L&S) Managing Director, Balasaheb Desai Sahakari S.K. Ltd. Vs. Kashinath Ganapati Kambale the workman was found guilty of indiscipline, absenteeism, reporting late to work and he was dismissed from the services. The Tribunal passed the award of reinstatement with continuity in service with 50% back wages as punishment of termination found disproportionate to the charges of misconduct leveled against the workman. While considering the jurisdiction of Labour Court under Section 11-A of the I.D. Act to interfere with the quantum of punishment. Hon'ble Apex Court has observed as under :

"Indisputably, the Labour Court while exercising its jurisdiction under Section 11A of the Industrial Disputes Act was entitled to consider as to whether the punishment awarded is wholly disproportionate to the delinquent employee or not but it is well known that the discretion vested in it must be exercised in a judicious manner. The Labour Court ordinarily should not interfere with the discretion exercised by the employer unless the same is found to be inconsistent with the provisions of a statute of otherwise perverse or unjust. It may be true that in terms of the Model Standing Order framed under the Industrial Employment (Standing Orders) Act, 1946, ordinarily fine for wrongful absence was to be imposed but in this regard the number of occasions on which the workman had remained on unauthorised absence was also required to be taken into consideration. In the case, depart from remaining unauthorisedly absent without leave, the respondent had been charged with indiscipline at the workplace. He not only was found guilty of remaining unauthorisedly absent but also guilty of misbehaviour with his superiors, leaving place of work early without permission and without leave, signing the muster for showing presence although he was absent."

15. In the said case Hon'ble Apex Court held that no back wages should be awarded in favour of the respondent, however, the sum of Rs. 60,000 had already been paid to the respondent, therefore, directed that amount paid shall not be recovered.

16. In present case, the only charge against the workman is for remaining unauthorisedly absent during the period 14-1-92 to 27-7-93 for 308 days on different occasions. There is no material on record which reveals that earlier to said period, the workman was ever punished for such misconduct since he joined the service in the year 1986. Thus, looking to the nature of job, the period of service, the period of remaining unauthorisedly absent, the punishment of termination of services of the

workman for alleged misconduct seems to be wholly dis-proportionate.

17. In light of legal propositions laid down by the Hon'ble Apex Court in the aforementioned case laws and having regard to the entire facts and circumstances of the case, the interest of justice would be subserved, if the workman reinstated without any back wages with continuity of service.

18. In view of the above discussions, the action of the management in terminating the services of the workman Sh. Abhimanyu w.e.f. 10-6-1995 is unjustified to this extent that punishment imposed upon him for the charge of alleged misconduct is wholly disproportionate. Therefore, the same is modified and instead of termination of services, lesser punishment is imposed upon him exercising powers under Section 11A of the I.D. Act. The workman be reinstated without back wages with continuity of service within two months from the date of publication of this award.

19. The reference under adjudication be answered accordingly.

Lucknow  
9-9-2009

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 17 सितम्बर, 2009

का. आ. 2810.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार गन कैरिज फैक्ट्री के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/31/92) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-9-2009 को प्राप्त हुआ था।

[सं. एल-14012/93/91-डी-2(बी)]  
सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 17th September, 2009

S.O. 2810.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT/LC/R/31/92) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Gun Carriage Factory and their workman, which was received by the Central Government on 17-9-2009.

[No. L-14012/93/91-D-2 (B)]  
SURENDRA SINGH, Desk Officer

## ANNEXURE

### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/31/92

Shri Mohd. Shakir Hasan—Presiding Officer

Shri Ramesh Prasad,  
Qr. No. 1503, Belbag (E),  
Chamrouti Mohalla,  
Bhantalaia, Jabalpur (MP)

... Workman/Union

Versus

The General Manager,  
Gun Carriage Factory,  
Jabalpur (MP)

... Management

## AWARD

Passed on this 1st day of September, 2009

1. The Government of India, Ministry of Labour vide its Notification No. L-14012/93/91-D-2 (B) dated 20-2-92 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of Gun Carriage Factory, Jabalpur in terminating the services of Sh. Ramesh Prasad, Ex-T. No. 398/IE Mochi-B vide their order dated 21-8-89 is justified? If not what relief he is entitled to?”

2. The case of the workman in short is that he was employed in the Gun Carriage Factory, Jabalpur as Mochi “B”, Ticket No. 798/IE, in Carpenter section since 24-5-1973. He was served with charge-sheet vide Memo No. 693018/87/40 dated 25-9-1987 for attempted theft of Government property. Enquiry was held and charge was not proved and the items seized were found the personal property as supported by Cash Receipt dated 26-8-1987. The Enquiry Officer submitted enquiry report giving the workman a benefit of doubt of the charge of attempt to theft. The Disciplinary Authority disagreed with the finding of the E.O. and gave his own finding and found the workman guilty of attempt to theft. The Disciplinary Authority passed sentence of removal from service vide order dated 21-8-1989. The workman appealed to the Director General, Ordnance Factory, Calcutta but no order was passed. He also gave reminder to the Appellate Authority but the same was also un-replied. It is alleged that the Disciplinary Authority has descended from the finding of the Enquiry Officer without any justification and the order of removal from service is fit to be set aside. The Disciplinary Authority relied upon the statements recorded prior to the enquiry and the security officer was inimical to the workman. It is alleged that no show cause notice was asked by the

Disciplinary authority before passing descending view from the Enquiry Officer. It is submitted that the workman be reinstated with back wages.

3. The Management/non-applicant appeared and filed Written Statement. The case of the management, inter alia, is that the workman was found in possession of Brass Button, Brass buckles and Copper Rivets weighing about 2.750 Kg, concealed in a piece of cloth and plastic paper tied in his Lungkoot (suspender/underwear) and charge-sheet was served. On his denial, the enquiry was held. The Enquiry Officer found the charge not proved and gave the benefit of doubt. The Disciplinary Officer disagreed the findings of the Enquiry Officer and gave his own reasoning on the basis of principles of probability. The Disciplinary Authority found sufficient evidence to substantiate the charge of attempted theft and passed the order of removal from the service. On these grounds, it is submitted that the action of the management in terminating the service of the workman w.e.f. 21-8-89 is justified and legal.

4. The preliminary issue was initially decided by the predecessor's Court on 4-6-99 and it was held that the Controlling Officer has arbitrarily drawn the inference of guilt against the workman. This order is regular and illegal. The predecessor's Court had further allowed the management to adduce evidence before the Court to prove misconduct of the workman.

5. Both the parties have not adduced any evidence in court thereafter. It appears that sufficient time was granted to prove the charge against the workman. The burden was totally on the management to prove the charge. About 4½ years time was granted to the management. Lastly his evidence was closed on 24-12-04, since there was no evidence on record against the workman, the workman also preferred not examine any evidence.

6. Considering the discussion made above, I find that the management has completely failed to prove the charge of misconduct against the workman. Thus the action of the management of Gun Carriage Factory, Jabalpur in terminating the services of Shri Ramesh Prasad, Ex. T. No. 398/IE Mochi "B" vide their order dated 21-8-89 is unjustified. He is therefore, reinstated on the post with back wages.

7. The award is, accordingly, answered with cost of Rs. 1000 (Rupees One Thousand only).

8. Let the copies of the award be sent to the Government of India, Ministry of Labour and Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 17 सितम्बर, 2009

का. आ. 2811.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत हैवी

इलेक्ट्रिकल्स लिमिटेड के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट (संदर्भ संख्या 43/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-9-2009 को प्राप्त हुआ था।

[सं. एल-42011/15/2009-आई आर (डीयू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 17th September, 2009

S.O. 2811.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 43/2009) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Bharat Heavy Electricals Ltd. and their workmen, which was received by the Central Government on 17-9-2009.

[No. L-42011/15/2009-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,  
CHENNAI

Thursday, the 10th September, 2009

Present : Shri A.N. Janardanan, Presiding Officer

Industrial Dispute No. 43/2009

[In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Bharat Heavy Electricals Ltd. and their workmen]

BETWEEN

The General Secretary  
Employees Progressive Union  
M/s. Bharat Heavy Electricals Ltd,  
Trichy-14

: Petitioner/I Party

AND

The Deputy General Manager (HR-TM)  
Bharat Heavy Electricals Ltd,  
Trichy-14

: Respondent/II Party

APPEARANCE:

For the Petitioner : Sri R. Babu

For the 1st Management : M/s. T.S. Gopalan and  
Co.

**AWARD**

The Central Government, Ministry of Labour vide its order no. L-42011/15/2009-IR (DU) dated 29-05-2009 referred the following Industrial Dispute to this Tribunal for adjudication :

The schedule mentioned in that order is :

“Whether the action of the management of Bharat Heavy Electricals Ltd., Trichy, in imposing the punishment of demotion on their workman Sri R. Ethiraj, w.e.f. 27-08-2008 is legal and justified? If not, what relief the workman is entitled to?”

2. After the receipt of Industrial Dispute, this Tribunal has numbered it as ID 43/2009. Pursuant to notice under RPAD, both parties entered appearance through their advocates.

3. When the matter stood posted for filing claim statement, it was represented on behalf of the petitioner that a settlement talk is going on and the matter is likely to be settled. On the adjourned date of posting, a joint memo was filed signed by the respective parties and their counsel reporting the dispute to have been amicably settled between the parties. No Claim or Counter Statement has been filed by the respective parties.

4. The joint memo finds embodied in it the terms of the settlement, inter alia that workman R. Ethiraj accepts the punishment that however the management with a view to maintain good industrial relationship having agreed to reduce the punishment of reversion to the lower grade for a period of one year instead of for a period of 2 years as originally awarded which has been accepted by the workman and with which settlement there has been consensus ad-idem to treat the dispute inter se fully and finally settled and with an understanding not to reopen the same by either party. In consideration of the said terms, joint memo has been filed treating the dispute as closed. The same is recorded. I am satisfied that the settlement voluntary and is for the benefit of the petitioner.

5. Discernibly, the settlement terms indicate that the punishment imposed is legal and justified. However, the management has on benign consideration reduced the punishment of reversion for 2 years into 1 year showing some magnanimity towards the workman which he has accepted. Accordingly, the matter has been settled between the parties giving no room for reopening the same to give rise to any future dispute in respect of the same matter.

6. In the result an award is passed in terms of the settlement as per the joint memo filed. The joint memo will form part of the record.

7. Thus the reference is answered accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 10th September, 2009).

A.N. JANARDANAN, Presiding Officer

**Witnesses Examined :**

For the I Party/Petitioner : None

For the II Party/Management : None

**Documents Marked :****On the Petitioner's side**

| Ex. No. | Date | Description |
|---------|------|-------------|
|         | Nil  |             |

**On the Management's side**

| Ex. No. | Date | Description |
|---------|------|-------------|
|         | Nil  |             |

नई दिल्ली, 24 सितम्बर, 2009

का. आ. 2812.—जबकि मैसर्स केपजेमिनी कंसल्टिंग इंडिया प्रा.लि. (मुंबई-II क्षेत्र में कोड संख्या एमएच/टीएचएन/43355 के अंतर्गत) (एतदुपरान्त प्रतिष्ठान के रूप में संदर्भित) कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (एतदुपरान्त अधिनियम के रूप में संदर्भित) की धारा 17 की उप-धारा (1) के खण्ड (क) के अंतर्गत छूट के लिए आवेदन दिया है।

2. और जबकि, केन्द्र सरकार के विचार में अंशदान दर के मामले में उक्त प्रतिष्ठान के भविष्य निधि के नियम उसके कर्मचारियों के लिए उक्त अधिनियम की धारा 6 में विनिर्दिष्ट की तुलना में कम हितकर नहीं हैं और कर्मचारी भी समान प्रकृति के किसी अन्य प्रतिष्ठान के कर्मचारियों के संबंध में उक्त अधिनियम या कर्मचारी भविष्य निधि योजना, 1952 (एतदुपरान्त उक्त प्रतिष्ठान के रूप में संदर्भित) के अंतर्गत अन्य भविष्य निधि लाभ भी प्राप्त कर रहे हैं।

3. केन्द्र सरकार एतद्वारा, अब उक्त अधिनियम की धारा 17 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा इस संबंध में समय-समय पर विनिर्दिष्ट शर्तों को ध्यान में रखते हुए, उक्त प्रतिष्ठान को उक्त योजना के समस्त उपबंधों के प्रचालन से 01-04-2007 से अगली अधिसूचना तक के लिए छूट प्रदान करती है।

[सं. एस-35015/61/2009-एसएस-II]

एस.डी. जेवियर, अवर सचिव

New Delhi, the 24th September, 2009

S.O. 2812.—Whereas M/s Capgemini Consulting India Private Ltd. (under Code No. MH/THN/43355 in Mumbai-II Region) (hereinafter referred to as the establishment) has applied for exemption under clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act).

2. And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those

specified in Section 6 of the said Act and the employees are also in enjoyment of other provident funds benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the Scheme) in relation to the employees in any other establishment of similar character.

3. Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of Section 17 of the said Act and subject to the conditions specified in this regard from time to time, the Central Government, hereby exempts the said establishment from the operation of all the provisions of the said Scheme with effect from 01-04-2007 until further notification.

[No. S-35015/61/2009-SS-II]  
S.D. XAVIER, Under Secy.

नई दिल्ली, 24 सितम्बर, 2009

का.आ. 2813.—जबकि मैसर्स एवाया ग्लोबल कनेक्ट लि. (अहमदाबाद क्षेत्र में कोड संख्या जीजे/18706 के अंतर्गत) (एतदुपरान्त प्रतिष्ठान के रूप में संदर्भित) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (एतदुपरान्त अधिनियम के रूप में संदर्भित) की धारा 17 की उप-धारा (1) के खण्ड (क) के अंतर्गत छूट के लिए आवेदन दिया है।

2. और जबकि, केन्द्र सरकार के विचार में अंशदान दर के मामले में उक्त प्रतिष्ठान के भविष्य निधि के नियम उसके कर्मचारियों के लिए उक्त अधिनियम की धारा 6 में विनिर्दिष्ट की तुलना में कम हितकर नहीं हैं और कर्मचारी भी समान प्रकृति के किसी अन्य प्रतिष्ठान के कर्मचारियों के संबंध में उक्त अधिनियम या कर्मचारी भविष्य निधि योजना, 1952 (एतदुपरान्त उक्त प्रतिष्ठान के रूप में संदर्भित) के अंतर्गत अन्य भविष्य निधि लाभ भी प्राप्त कर रहे हैं।

3. केन्द्र सरकार एतद्वारा, अब उक्त अधिनियम की धारा 17 की उपधारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा इस संबंध में समय-समय पर विनिर्दिष्ट शर्तों को ध्यान में रखते हुए, उक्त प्रतिष्ठान को उक्त योजना के समस्त उपबंधों के प्रचालन से 01-10-1990 से अगली अधिसूचना तक के लिए छूट प्रदान करती है।

[सं. एस-35015/56/2007-एस.एस.-11]

एस.डी. जेवियर, अवर सचिव

New Delhi, the 24th September, 2009

S.O. 2813.—Whereas M/s Avaya Global Connect Ltd. (under Code No. GJ/18706 in Ahmedabad Region) (hereinafter referred to as the establishment) has applied for exemption under clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act).

2. And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are

not less favourable to employees therein than those specified in Section 6 of the said Act and the employees are also in enjoyment of other provident funds benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the Scheme) in relation to the employees in any other establishment of similar character.

3. Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of Section 17 of the said Act and subject to the conditions specified in this regard from time to time, the Central Government, hereby exempts the said establishment from the operation of all the provisions of the said Scheme with effect from 01-10-1990 until further notification.

[No. S-35015/56/2007-SS-II]  
S.D. XAVIER, Under Secy.

नई दिल्ली, 25 सितम्बर, 2009

का. आ. 2814.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91-क के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा अनुसूची में विनिर्दिष्ट कारखानों/स्थापनाओं के नियमित कर्मचारियों को उक्त अधिनियम के प्रचालन से 1-10-2008 से 30-09-2010 तक की अवधि के लिए छूट प्रदान करती है।

2. उक्त छूट निम्नलिखित शर्तों के अधीन हैं; अर्थात् :—

- (1) पूर्वोक्त स्थापना जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगी, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदनाम दिखाये जायेंगे;
- (2) इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करते रहेंगे जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संदत्त अंशदानों के आधार पर हकदार हो जाते हैं;
- (3) छूट प्राप्त अवधि के लिए, यदि कोई अभिदाय पहले ही किए जा चुके हों, तो वे वापस नहीं किए जाएंगे;
- (4) उक्त कारखाने/स्थापना का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने/स्थापना पर उक्त अधिनियम (जिसे इसमें इसके पश्चात "उक्त अवधि कहा गया है") प्रवर्तमान था ऐसी विवरणियां, ऐसे प्रारूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी अपेक्षित होती थी;
- (5) निगम द्वारा उक्त कर्मचारी राज्य बीमा अधिनियम की धारा 45 की उप-धारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी;

- (i) धारा 44 की उप-धारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरण की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ; अथवा
- (ii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा तथा अपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गये थे या नहीं; या
- (iii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिये गए उन फायदों को, जिसके फलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं; या
- (iv) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं, निम्नलिखित कार्य करने के लिए सशक्त होगा :—
- (क) प्रधान या आसन्न नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; अथवा
- (ख) ऐसे प्रधान या आसन्न नियोजक के अधिभोगाधीन, किसी कारखाने, स्थापना, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहियाँ और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें या ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं; या
- (ग) प्रधान या आसन्न नियोजक की, उसके अधिकर्ता या सेवक की, या ऐसे किसी व्यक्ति को, जो ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में पाया जाए, यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना; या
- (घ) ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा, बही या अन्य दस्तावेज की नकल तैयार करना या उद्धरण लेना;
- (ङ) यथानिर्धारित अन्य शक्तियों का प्रयोग करना।

- (6) विनिवेश/निगमीकरण के मामले में, प्रदत्त छूट स्वतः रद्द हो जाएगी और तब नए प्रतिष्ठान को छूट हेतु समुचित सरकार की अनुमति लेनी होगी।

### अनुसूची

| क्रम संख्या | स्थापना/कारखाने का नाम  |
|-------------|---|
| 1.          | हिन्दुस्तान एंटीबायोटिक्स लिमिटेड, पिम्परी, पुणे  |
| 2.          | इंडियन फार्मस फर्टिलाइजर कोऑपरेटिव लिमिटेड (इफको), नई दिल्ली (सभी इकाइयाँ तथा कार्यालय) |

[संख्या एस-38014/48/2008-एस. एस.-1]

एस. डी. जेवियर, अवर सचिव

### स्पष्टीकरण ज्ञापन

इस मामले में छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है क्योंकि छूट के आवेदन पर कार्यवाही करने में समय लगा। तथापि, यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी भी व्यक्ति के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

New Delhi, the 25th September, 2009

S.O. 2814.—In exercise of the power conferred by section 88 read with section 91-A of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby exempts the regular employees of factories/establishments specified in the schedule from the operation of the said Act for a period from 1-10-2008 to 30-9-2010.

2. The above exemption is subject to the following conditions namely :—

- (1) The aforesaid establishments wherein the employees are employed shall maintain a register showing the name and designations of the exempted employees;
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;
- (3) The contributions for the exempted period, if already paid, shall not be refundable;
- (4) The employer of the said factory/establishment shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred as the said period), such returns in such forms and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

(5) Any inspector appointed by the Corporation under Sub-Section (1) of Section 45 of the said ESI Act or other official of the Corporation authorized in this behalf by it, shall, for the purpose of :—

- (i) Verifying the particulars contained in any returned submitted under sub-section (1) of Section 44 for the said period; or
- (ii) Ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
- (iii) Ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
- (iv) Ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory to be empowered to :

- (a) require the principal or immediate employer to him such information as he may consider necessary for the purpose of this Act; or
- (b) At any reasonable time enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine accounts, books and other documents relating to the employment of

personal and payment of wages or to furnish to him such information as he may consider necessary; or

- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee; or
- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises,
- (e) exercise such other powers as may be prescribed.

- (6) In case of disinvestment/corporatization, the exemption granted shall become automatically cancelled and then the new entity will have to approach the appropriate Government for exemption.

#### SCHEDULE

| Sl. No. | Name of the Establishment/Factory   |
|---------|---|
| 1.      | Hindustan Antibiotics Ltd., Pimpri, Pune                                      |
| 2.      | Indian Farmers Fertilizer Coop. Ltd. (IFFCO), New Delhi (All Units & Offices) |

[No. S-38014/48/2008-SS-I]  
S. D. XAVIER, Under Secy.

#### EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as processing of the applications for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of any body adversely.